

Essex County Countryside Alliance

ECCA Promotes and Protect the Rural Character of Essex County

Preserving Farms and Forests,
Natural and Historic Resources for
the Benefit of Future Generations



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2012 Report

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COMMONWEALTH of VIRGINIA
Office of the Governor

Robert F. McDonnell
Governor

July 10, 2012



Dear Members and Friends of the Essex County Countryside Alliance,

During this fifth year of your incorporation as a nonprofit organization, I want to commend you for all of the tremendous work you have done and congratulate you for your many accomplishments over a relatively short period of time.

The numbers alone are impressive: nearly 10,000 acres of farmland in Essex County protected in perpetuity. But numbers can only tell so much of the story.

Equally impressive is the organization you have been able to establish and grow, as well as your impact on this community. When your neighbors see farms such as Fort Tobacco, Elmwood, Wheatland, Kendale, Brooke's Bank, and others protected by easement, they are sure to take notice.

You obviously understand the value that saving these rural, agricultural lands brings to the community and the Commonwealth. Essex is one of Virginia's oldest and most historic counties. Your efforts to spread the message of conservation and protection are critical to keeping this heritage in place.

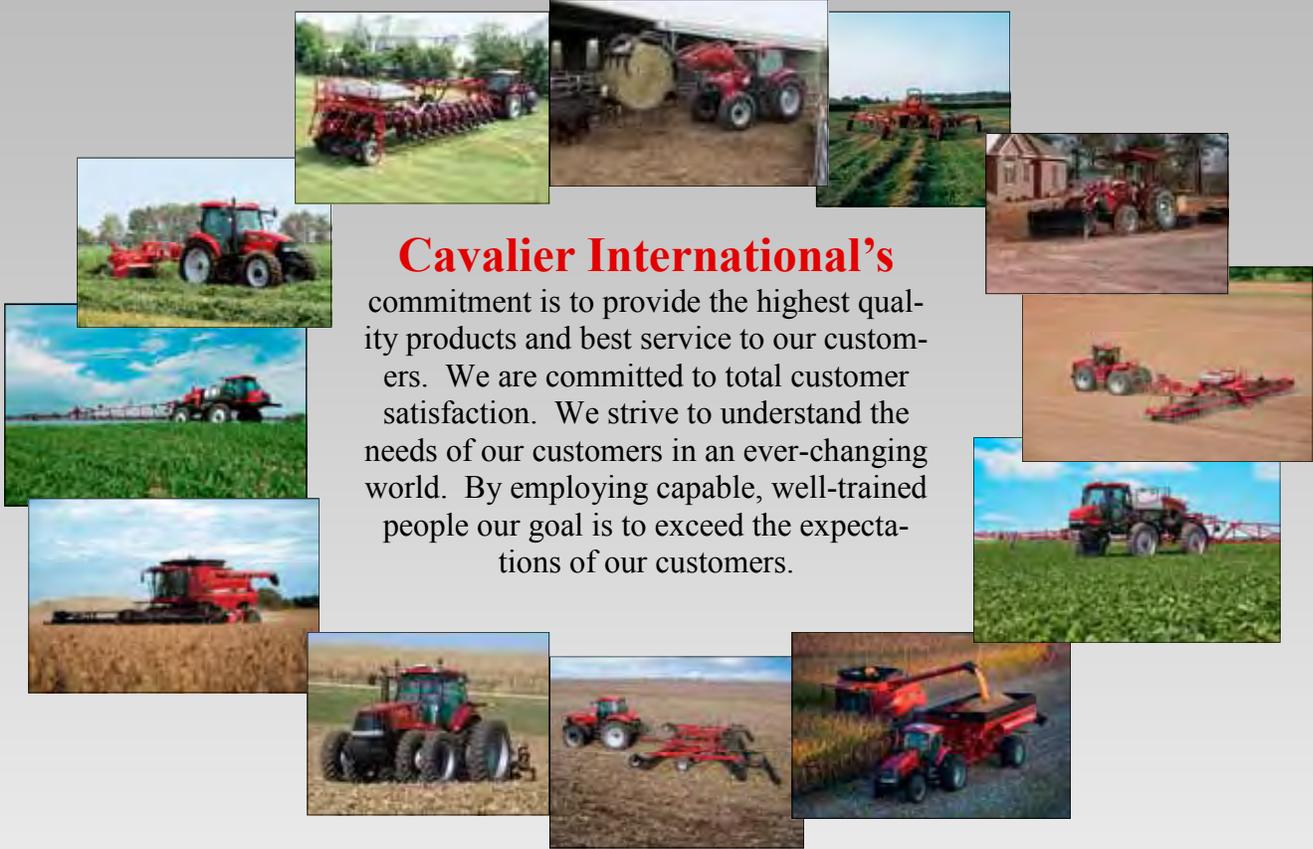
You also realize that protecting our natural landscapes and agricultural heritage is more than just a matter of history or aesthetics. Conservation easements have tangible impacts on our local waters and state resources like the Rappahannock River and the Chesapeake Bay. They also help keep one of our most crucial industries and economic engines – agriculture and forestry – strong and vibrant.

Again, I offer you congratulations and encouragement as you continue your work not only in Essex, but in counties throughout the Middle Peninsula and Northern Neck. Your message of voluntary land protection will benefit generations to come.

Sincerely,

Bob McDonnell
Governor of Virginia

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The Department of Conservation and Recreation adds John D. Mitchell to their Land Conservation Team

With his announced goal of having an additional 400,000 acres placed in conservation easement during his term Governor McDonnell's Department of Conservation and Recreation has recently announced the addition of John D. Mitchell to their Land Conservation Team. John has been tasked with indentifying areas of the Commonwealth of Virginia which deserve focused land preservation efforts due to their scenic views, environmental sensitivity, water quality, wildlife habitat and forestry.

John's first efforts will be in Tidewater Virginia with particular attention being paid to the Upper Middle Peninsula and Northern Neck.



John D. Mitchell

There will be an emphasis on large blocks of contiguous property which border the rivers and a special effort to fill the gaps where there are currently many acres in Easement but some landowners who have not yet made the step. Using personal contact, John will be

reaching out to these landowners and expect him around in his gold colored Ford Explorer with Commonwealth of Virginia License plate. His new cell phone number is 804-432-6826 and his email is Mitchell540@msn.com

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JAMES RIVER
RAPPAHANNOCK





Letter From the President

Dear Friends,

The year 2012 has seen the ECCA growing and evolving while upholding its mission to “promote and protect the rural character of Essex County—preserving farms, forests, natural, and historic resources—for the benefit of future generations.”

Now in our sixth year, with an annual budget of nearly \$50,000, seventeen board members, and plenty of work to do, we need your support more than ever. There are still many large, unprotected farms in the county that need to be placed in conservation easements, both north and south of Tappahannock. We are relentlessly taking the message of easements to many of these landowners, one landowner at a time.

Our mission of preservation, however, is as broad as the articles in this magazine indicate. Our river, houses, furniture, wildlife—the list of potential unrealized preservation projects is endless and multifaceted, as are our challenges and opportunities. In order to facilitate the process we are working on having the National Park Service declare parts of the county Rural Historic Districts (subject to support of the community), as you can read in articles on pages 12-14. In addition, we have asked the Virginia Outdoors Foundation (VOF) to declare the section of Essex County from Spotsylvania to the Middlesex line a Special Project Area (article on page 11), which will give VOF more flexibility in accepting easements in our area.

We face challenges such as oil and gas leases for which the contract wording is very, very broad. We see landowners signing contracts, often for very little money, and giving up lots of control of what is often their largest asset. At this time VOF is drafting language to accommodate these leases, which will allow some control over drilling, transport, and storage, should the Taylorsville basin ever prove commercial.

On behalf of your board, MaryMoss, and all the volunteers who helped create this magazine, thank you for your support over the last year. We look forward to seeing you on Friday, September 28, when we will have our Fall Meeting at the newly restored Oakalona, thanks to the kind invitation of owners Julie and Carl Strock.

Regards,



On the Cover Our thanks to Bill Portlock for sharing his stunning images of the Rappahannock River (top, right) and the bald eagle. The dressing table image is used courtesy of the The Colonial Williamsburg Foundation.

There are still many large, unprotected farms in the county that need to be placed in conservation easements, both north and south of Tappahannock.

Tax Benefits of a Conservation Easement

By Todd Hochrein, Virginia Conservation Credit Exchange

Do you need some cash but don't want to sell your farm or borrow against it? A conservation easement may be an excellent way to extract some cash from your property. There are several significant tax benefits for donating a conservation easement. While there may be material estate tax savings, the most significant, immediate benefits are 1) a federal tax deduction, and 2) a state tax credit. Let's go through each by using an example. Both benefits are derived from the appraised value of your easement, which will be determined by a certified appraiser. Say you have 200 acres, which are currently worth \$5,500 an acre. However, with an easement on it, the land is worth \$3,000 an acre. The easement value is the difference—\$2,500 per acre. Your 200-acre conservation easement would be valued at \$500,000 (remember, this is the easement value, not the land value). The benefits can be quantified as follows:

The maximum federal tax deduction amount is the full easement value of \$500,000. However, the deduction in any one year is capped at 30 percent of your adjusted gross income. If your income is \$100,000, you can deduct \$30,000 and you only pay tax on \$70,000. You have now used \$30,000 of the \$500,000 deduction. You carry forward the \$470,000 remaining deduction and use it the following year, with the same 30

percent income limit. The deduction is good for six years, or until it is used up. How much does this save you? It depends. If you are in the 30 percent tax bracket and can use the entire deduction, you could save up to \$150,000 in IRS tax payments. If you can only use half of the deduction and you're in the 15 percent bracket, you'll save about \$37,500 in IRS tax payments.

The Virginia state tax credit is 40 percent of the value of your easement. In this example, 40 percent of \$500,000 is a \$200,000 tax credit. The tax credit can be used to offset state income taxes paid. Furthermore, the credit can be sold for cash. After all fees, most folks will receive approximately 75 percent of the credit value. If you sold all of your credits, you would receive approximately \$150,000 in cash. The gain from selling the tax credits is considered capital gain.

Tax planning strategies should be considered prior to placing an easement on your property. For example, if you are considering selling some property or an asset with some gain associated with it, you may want to do an easement in the same year to help offset the gain. Also, you may want to hold the tax credits for at least 366 days to qualify for long-term gain on the tax credit sale. Tax matters can be complicated and should be discussed with your tax professionals.

Essex County Countryside Alliance 2012 Report

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Trusts and Conservation Easements: Beware of the Tax Traps

By Rebecca E. McCoy, CPA

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Many landowners use trusts as estate planning tools to help pass family land down through generations. However, based on recent Internal Revenue Service activity, certain trusts may not be entitled to a charitable contribution deduction when a conservation easement is placed on land held in a trust. While the tax laws related to trusts have existed for years, the advent of large numbers of conservation easement donations has brought trusts into the IRS spotlight.

First, we need to look at the tax status of the trust. For trusts that are considered revocable by the federal tax code, the trust would receive a charitable contribution deduction for a donation of a conservation easement. In this instance, the trust is disregarded for tax purposes and the trust grantor is able to claim the deduction. The difficulty begins when a trust is no longer revocable, either due to the death of the grantor or because the trust is irrevocable during the trust grantor's lifetime. Many trusts are created to shift assets from an older generation's ownership to a younger generation's ownership. If, in doing this, the grantor gives up all rights to take the assets back or undo the trust, the trust will be irrevocable for tax purposes. The inclusion of the word revocable in a trust's title does not mean that the trust meets the federal tax code criteria for purposes of claiming a

charitable donation deduction.

Many trusts will have periods when they are revocable, but at some point they will become irrevocable. For example, Mr. Jones creates a revocable trust and titles his family farm in the trust. He retains the right to all income of the trust and to revoke, or cancel, the trust at any time while he is alive. For tax purposes, the trust may make a conservation easement donation and Mr. Jones would claim the deduction on his personal tax return. At this point, the trust would not file a separate tax return.

A few years later Mr. Jones becomes incapacitated and unable to manage his affairs. His successor trustee takes over the responsibilities as the trustee. As long as Mr. Jones (or his legal representative) can revoke the trust, the trust will be treated as a grantor trust. A grantor trust must file a separate tax return but all items of income and deductions flow to Mr. Jones. At this point, Mr. Jones can still claim a donation deduction for a conservation easement donation.

The difficulties start when Mr. Jones passes away. At this point, his trust becomes irrevocable. Since his land was contributed to the trust by Mr. Jones, the land is considered corpus or principal for tax purposes. If the trustee executes a conservation easement, no charitable contribution deduction will be allowed for the trust, even

if the trust document allows for the donation.

If the trust had accumulated sufficient income and purchased the land from this accumulated income, the result would be different. First, the trust document must allow the trust to make charitable contributions. Second, all of the purchase of the property must be traced to income created and retained by the trust. For example, if Mr. Jones's trust stated that all income must be distributed to Mr. Jones's surviving spouse and income is distributed, the trust has no income remaining to purchase new property. A clear record of income and how the income is used is needed to prove that the trust is entitled to a charitable contribution deduction. The burden of proof rests on the taxpayer to prove entitlement to the deduction.

For landowners who wish to combine their estate planning goals and retain the ability to claim the full donation value of a charitable contribution deduction, careful planning must be undertaken. Landowners should consult with professionals familiar with trust tax rules, legalities, and accounting requirements to document trust income and address the considerations involved in removing land from a trust to allow heirs to claim the full charitable tax deduction from a conservation easement donation.

VOF Reports

By Estie Thomas

Rappahannock River Special Project Area

Virginia Outdoors Foundation (VOF) may occasionally designate certain areas in the Virginia Commonwealth as Special Project Areas, which are particular geographic regions where protection through easements is especially warranted and where VOF expects to concentrate resources. Several factors are used to determine Special Project Areas: the area must be of statewide natural, scenic, historic, open-space or recreational significance; local landowners have indicated their support; a local land trust, conservation group, other organization, or state or federal agency has expressed an interest

in working with VOF to encourage protection of the area, or the local government has indicated an interest in the protection of the area through easements. Special Project Area designation will help make the case for the high conservation value of proposed easement projects and will be an important factor for prioritizing lands for VOF easement program efforts.

Special Project Area designation will become an important factor in determining the conservation value of lands within the area. Designation will be one among several factors determining if VOF will work on a particular project, including conser-

vation value/public benefit, degree of protection (proposed restrictions), acreage, readiness of the landowner to proceed, regional development pressures, and VOF staff capacity.

VOF and ECCA are currently working together to have the Upper Rappahannock River designated as a Special Project Area. Together we hope to preserve the natural habitats, open spaces, and productive farmlands in this area. Once the Rappahannock River has been designated a Special Project Area, it will be prioritized as having a high conservation value.

Oil and Gas Exploration

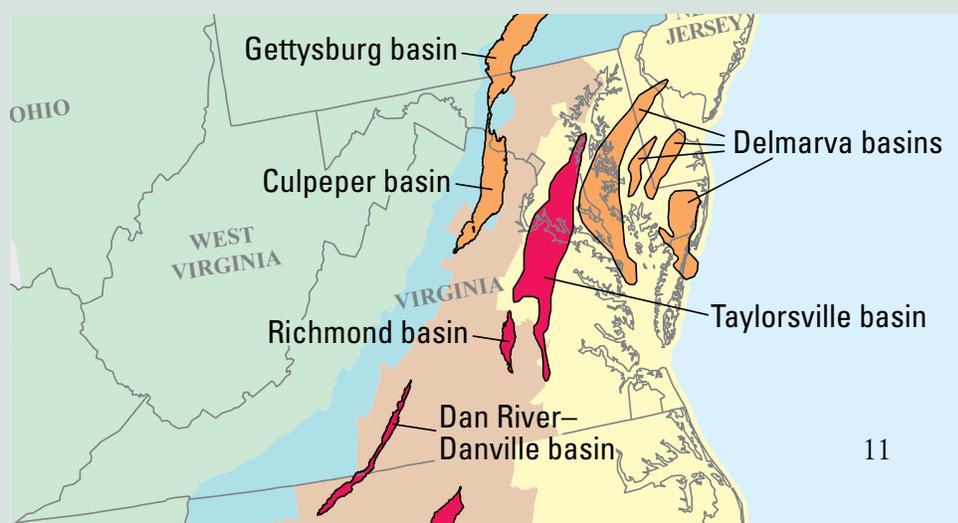
The Virginia Outdoors Foundation (VOF) is aware of recent activity and interest in exploration for oil and natural gas in the area known as the Taylorsville basin, which includes Essex, Caroline, Westmoreland, and King George counties. VOF is studying the methodology, as well as the impact, of such extraction and is attempting to determine whether such activity can be compatible with, or permitted on, easement properties.

In the meantime, we are requesting that landowners with easements on their properties not enter into contracts or lease agreements for exploration, drilling, or extraction without first giving VOF the opportunity to determine if such

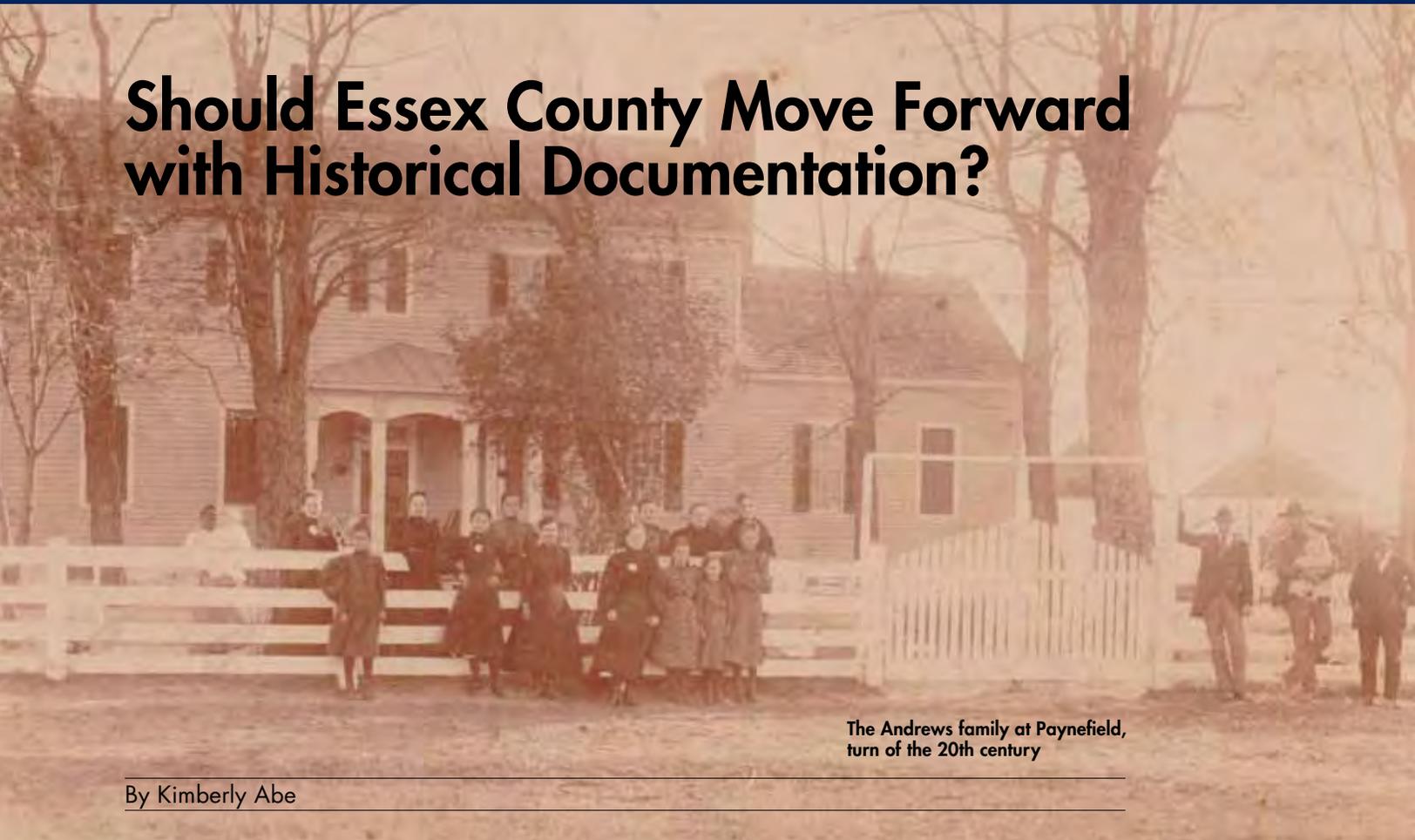
activities can be compatible with, or permitted on, the easement. VOF and ECCA hope to help landowners to make informed decisions regarding their land while protecting the conservation values and purposes of open-space easements.

Furthermore, we ask landowners to be cautious because the contracts

for these leases can be extremely vague and broad, with the potential to commit landowners to more than they intended. Such leases could greatly impact the land and how it is managed and used for activities such as forestry, hunting, and other purposes.



Should Essex County Move Forward with Historical Documentation?



The Andrews family at Paynefield, turn of the 20th century

By Kimberly Abe

Essex County is undoubtedly one of the Nation’s most historically significant locales, yet like most of Virginia’s Northern and Middle Neck counties, only a small percentage of the county’s historic buildings and landscapes are actually listed on the National Register of Historic Places. Indeed, only 13 individual properties and the Tappahannock downtown district in Essex County are listed on the Virginia Landmarks Register and the National Register of Historic Places.¹ By most accounts, this list is hardly complete.

After all, Essex abounds with a diverse array of buildings, landscapes and archaeological resources representing over three centuries of European settlement, layered atop a dramatic landscape of Native American habitation for over 10,000 years. These historical layers include steamboat wharves and oyster houses; sunken rolling roads; African-American churches and schools; tobacco barns; slave escape venues; ancient Indian villages; country stores; and other tangible buildings and artifacts representing Essex County’s uniquely quintessential American story.

Should Essex County, Virginia, consider listing more of its resources on the National Register? What are the benefits? Are there downsides to listing a property on the National Register? These questions are best answered by reviewing a close study of ongoing historic documentation efforts in three Virginia counties; Clarke, Albemarle, and Fauquier.

Like Essex County, these counties are predominantly rural-agricultural and feature many surviving historical buildings. These three counties are extolled by citizenry as great places to live, work, and visit, and Clarke, Albemarle, and Fauquier are enthusiastically documenting as many of their historic resources as possible for listing on the National Register.

These worthy efforts are pursued via the application of cooperative initiatives emanating from local governments and community organizations. Clarke and Fauquier have both mapped well over a third (or more) of their respective land areas as either National Register, or National Register-eligible. Since 2001, Fauquier County officials have successfully co-joined with indigenous communities to list 16 historic villages and towns on the register, while citizen groups have simultaneously listed five large chunks of historic rural farmland on the register—one of which is a Civil War battlefield. Fauquier officials have emphasized to the skeptical that National Register listing is only an honorific status, and there are no regulatory impacts for property owners.

National Register and National Register-eligible districts in all three counties have resulted in greater recognition of under-documented elements of American history. The nominations have resulted, for example, in better, more detailed and poignant documentation on systemic slavery, and the lives and contributions of Virginia's African-American citizens through the listings of both pre- and post-Civil War African-American communities. These nominations have also recognized numerous small crossroad commu-

nities, Civil War battlefields, horse farms, dairy farms, and a host of other resources that help weave and interpret the human fabric underpinning America's story. National Register districts in these three counties have enjoyed widespread community and local government support—although in a minority of cases, uninformed citizens have opposed the National Register concept.

Support for historic preservation and National Register listing has been increasing in this down economy as growing numbers of people recognize preservation's many previously under-realized economic benefits. National Trust surveys indicate that almost 80% of all American tourists are identified as "heritage tourists," who seek places to visit where the contributions of previous generations are authentically preserved. Further, these visitors spend on the average 30% more than other tourists. (National Register listing is limited to authentic well-documented historic resources.)

Fauquier County is currently in

the process of developing online tours to entice visitors to its many diverse National Register districts as an economic development measure to support and encourage small local businesses like country stores and restaurants in these areas. As an example of increased preservation support, one only need look south of Fauquier in Culpeper County. Twenty years ago, county officials vehemently opposed any protection or recognition of the Brandy Station Civil War Battlefield, and now today the battlefield is showcased on the Culpeper county tourism website.

Further, also according to National Trust and other studies, the repair and maintenance of historic buildings both creates and sustains good paying local jobs, while at the same time it promotes community revitalization. For this reason, Federal and State governments have enacted historic rehabilitation tax credits. In Virginia, it is possible to combine federal historic tax credits (20%) and state historic tax credits (25%) to save up to 45% on rehabilitation

In April 2012 Maral Kalbian, an architectural historian based in Clarke County, Virginia, tentatively scoped out three potential, rural, historic landscapes in Essex County: one in the northeastern part of the county along the Rappahannock River, a second in the Millers Tavern area, and a third in the vicinity of Dragon Run. This preliminary evaluation involved a windshield survey and a sketch map. No documentation has been completed to date. ECCA is currently seeking support and input from local elected officials and community members to study the possibility of moving forward with additional historic documentation in these three areas that would be presented to all property owners for their consideration in the future.

costs. Rehabilitation is not required under National Register listing. The tax credits available through National Register listing were established as an optional incentive. Owners can actually tear a National Register-listed building down if they feel it is necessary since listing does not affect underlying zoning rights.

Property owners in any area that might be being considered for listing on the National Register have a vote in the final decision. A property will not be listed if, for individual properties, the owner objects, or for districts, a majority of property owners object. In addition to tax credits, other benefits of listing include potential protections from insensitive state or federally funded or licensed infrastructure projects, such as new highways, transmission lines, or road widenings.

However, the greatest benefit from National Register listing may well be how listing builds and strengthens community pride and identity, and thereby encourages landscape and architectural preservation. The professional standard for documenting most resources for ultimate listing—a process termed a “cultural landscape” approach—helps to foster community pride

because this process evaluates all of a community’s historic resources as a set or collection, and as a set the whole is of course greater than the sum of its parts.

When utilizing a cultural landscape evaluation for both town districts and rural historic districts, all the elements of a community’s story are documented that are found in a particular landscape or area. This means all the layers of history present, ranging from Native American Indian archaeological sites to early- and mid- 20th-century river wharves and hunting lodges, are documented and recognized as significant parts of a historic area. The cultural landscape approach allows structures that would not be individually eligible to be listed on the register to be recognized as “contributing” structures, and as such they are eligible for historic tax credits.

Indeed, in Fauquier County, the town and rural historic districts documented via a cultural landscape approach have resulted in the listing of well over 1,500 historic structures as contributing structures on the National Register, most of which would not be individually eligible for listing. Cultural landscape documentation also happens

to be the most cost effective and efficient method to document a community’s history and there are often public funds available to match with local private and public funding for these nominations. Clarke, Albemarle, Fauquier and other counties have all utilized a mix of public and private funding for their National Register listings.

Another measure worth exploring is the use of multiple property or thematic National Register nominations. Thematic nominations would allow more listings of scattered properties that bear some significant historic or cultural relationship with each other (country stores, schools, mills, churches, boatyards, etc.)

In light of how three other counties similar in nature to Essex County have seized upon National Register listings as both an economic development and community revitalization tool, Essex County citizens and elected officials would be wise to chart a similar path forward.

To “chart” is the right term to use to rightfully showcase more of Essex County’s unique and interesting Rappahannock River history on the National Register of Historic Places!

¹The Virginia Department of Historic Resources maintains an online statewide list of National Register resources by county. (http://www.dhr.virginia.gov/register/register_counties_cities.htm)

²Visit the National Trust website to learn more about how to expand local cultural tourism heritage opportunities in your community. (<http://www.culturalheritagetourism.org/resources/research.htm>)

Kimberly R. Abe was a preservation planner coordinating Fauquier County, Virginia historic review and documentation between 2006 and 2012. She was staff to the Baltimore County, Maryland Landmark Preservation Commission from 1996 to 2005, and a community planner in Southern California from 1987 to 1995. She has an Undergraduate Degree in Economics from St. Mary’s College of Maryland and Masters Degrees in both City Planning and Historic Preservation. Kimberly is married to Clark B. Hall. Her interests include nature, history and art.





Figure 2. *Side Chair*, Rappahannock River Basin, Virginia, 1760-1775. Cherry and oak, acc# 2007-120, image # TC1996-112. *The Colonial Williamsburg Foundation, Museum Purchase.*

Figure 1. *Side Chair*, Rappahannock River Basin, Virginia, 1775-1770. Cherry and yellow pine (replacement), acc #L1983-17, image DS93-269. *The Colonial Williamsburg Foundation on loan courtesy of William Arthur Beverly.*

Irish Influences on Furniture from the Rappahannock River Basin

By Ronald L. Hurst

Most furniture produced in eighteenth-century Virginia was heavily influenced by English craft traditions, but other cultures also impacted furniture design in discrete sections of the colony. One of them was the lower Rappahannock River basin. There, a distinctive body of cabinet wares made from the 1750s to the 1770s exhibits strong evidence of Irish influence.

Structural and design analysis suggests that Irish-inspired furniture from the Rappahannock region was produced in at least three different and as yet unidentified shops. Their exact locations are unknown, but Tappahannock is the best candidate since much of the furniture in question was first owned in the counties of Essex and Richmond. Despite its small size, Tappahannock was an active international port that boasted a Masonic lodge, an impressive brick court house, a public ballroom, and several gentry residences. It is equally possible that some of the furniture was

fabricated in nearby rural shops. Records confirm that Essex and Richmond counties were home to at least ten cabinetmakers between 1730 and 1790. Some of these artisans likely practiced the cabinet trade during the winter but farmed lucrative cash crops during the spring, summer, and fall.

The clearest evidence of Irish influence on Rappahannock furniture is the local popularity of standard Irish foot forms, including one featuring a rounded central lobe flanked by small volutes. Rare in America, this was one of the two or three foot forms most widely used in Ireland from the 1720s to the 1780s. A good example of such feet appears on a set of chairs originally owned by the Beverley family at Blandfield Plantation in Essex County (fig. 1). The unknown maker of these chairs also produced furniture with paneled or trifold feet. These appear on a number of pieces with histories in local families, among them a second set of chairs from Blandfield (fig. 2). Found



Figure 3. *Dressing Table, Rappahannock River Basin, Virginia, 1750-1770. Cherry and yellow pine, acc# 1954-7 image # DS91-349. The Colonial Williamsburg Foundation, Museum Purchase.*



Figure 4. *Base of High Chest with Three Drawers, Rappahannock River Basin, Virginia, ca. 1740. Walnut and yellow pine, acc#1978-13 image DS97-274. The Colonial Williamsburg Foundation, Museum Purchase.*

Figure 5. *Tea Table, Rappahannock River Basin, Virginia, ca. 1745. Black walnut, acc# 1999-71, image #DS2003-642. The Colonial Williamsburg Foundation, Museum Purchase.*



Figure 6. *Tea Table, Rappahannock River Basin, Virginia, 1755-1770. All components of black walnut, acc# L1983-18, image# TC1996-231. The Colonial Williamsburg Foundation on loan courtesy of William Arthur Beverly.*



on hundreds of surviving Irish tables and chairs, the paneled format was far and away the most common Irish foot form of the eighteenth century. Seldom seen in English furniture, its scattered appearance in American cabinet centers such as Philadelphia is usually associated with the presence of immigrant Irish artisans. The same foot may be seen on a dressing or writing table that appears to be from a related Rappahannock shop (fig. 3). While the table's early history is unknown, it features structural characteristics associated with eastern Virginia furniture. All of these pieces were produced in cherry, the most popular cabinet wood in the Rappahannock basin during the last decades of the colonial period.

Representing the work of a different Rappahannock shop, but similarly Irish-influenced, are the remains of a high chest of drawers that descended in the Finch family of nearby King George County (fig. 4). Executed in black walnut, the chest has lost its upper case and drawers. Despite its poor condition, the object still bespeaks its cultural origins. In particular, its heavily articulated paneled feet and the pronounced, deeply molded partial knee scrolls that end abruptly above the ankle suggest strong ties to Irish furniture-making traditions. A tea table from the same shop features remarkably similar partial knee scrolls and deep, shapely aprons (fig. 5). The table stands on so-called slipper feet, another typically Irish form. Widely popular in the lower Rappahannock basin, the slipper foot is unknown in the rest of Virginia and rare elsewhere in America except for early eighteenth-century Philadelphia and mid-century Newport, Rhode Island.

Similarly conceived legs and feet appear on a group of slightly later Rappahannock tea tables, among them a black walnut example long owned at Blandfield (fig. 6). They sport simplified versions of the elaborate aprons seen on contemporary Irish tea tables, as well as the indented corners common to both Irish and English forms. The artisan responsible for the Rappahannock tea tables used the same foot and leg designs on several black walnut dining tables with deep, well-shaped end rails (fig. 7).

How do we account for the presence of Irish-influenced cabinet shops in the Rappahannock basin? The answer is in the trade that flourished between Ireland and the Chesapeake colonies for much of the eighteenth century. Irish linen (used for everything from undergarments to bedding) was the principal manufactured commodity in this trade, and the Chesapeake was one of Ireland's largest regional markets. In turn, the Chesapeake shipped tobacco and, later, grain to Irish ports. In 1768, more than 11,000 bushels of wheat were shipped to Ireland from the upper district of the James River alone. Two years later, Virginia planters sent three times that amount to Irish merchants. Baltimore, an increasingly significant market center for Chesapeake planters as far south as the Rappahannock, played an even larger part in the Irish wheat and flour trade. In 1770, 102,000 bushels of wheat, or about 40

percent of Baltimore's tonnage, was shipped directly to Ireland. Much of that grain came from coastal Virginia farms and plantations.

The economic exchange between Ireland and the Chesapeake fostered contacts that readily led to the immigration of Irish artisans, including cabinetmakers. Another factor in the arrival of Irish craftsmen was the trade in indentured servants, which continued until the end of the eighteenth century. Approximately 50,000 Irish immigrants came to America between 1760 and 1775, and most arrived as indentured servants. By this time, indentured service no longer carried the stigma it once had, but was seen as a practical means of securing passage to America. Because servants were in demand, the terms of indenture were often in their favor. Except for convicts, service rarely exceeded four years, and contracts

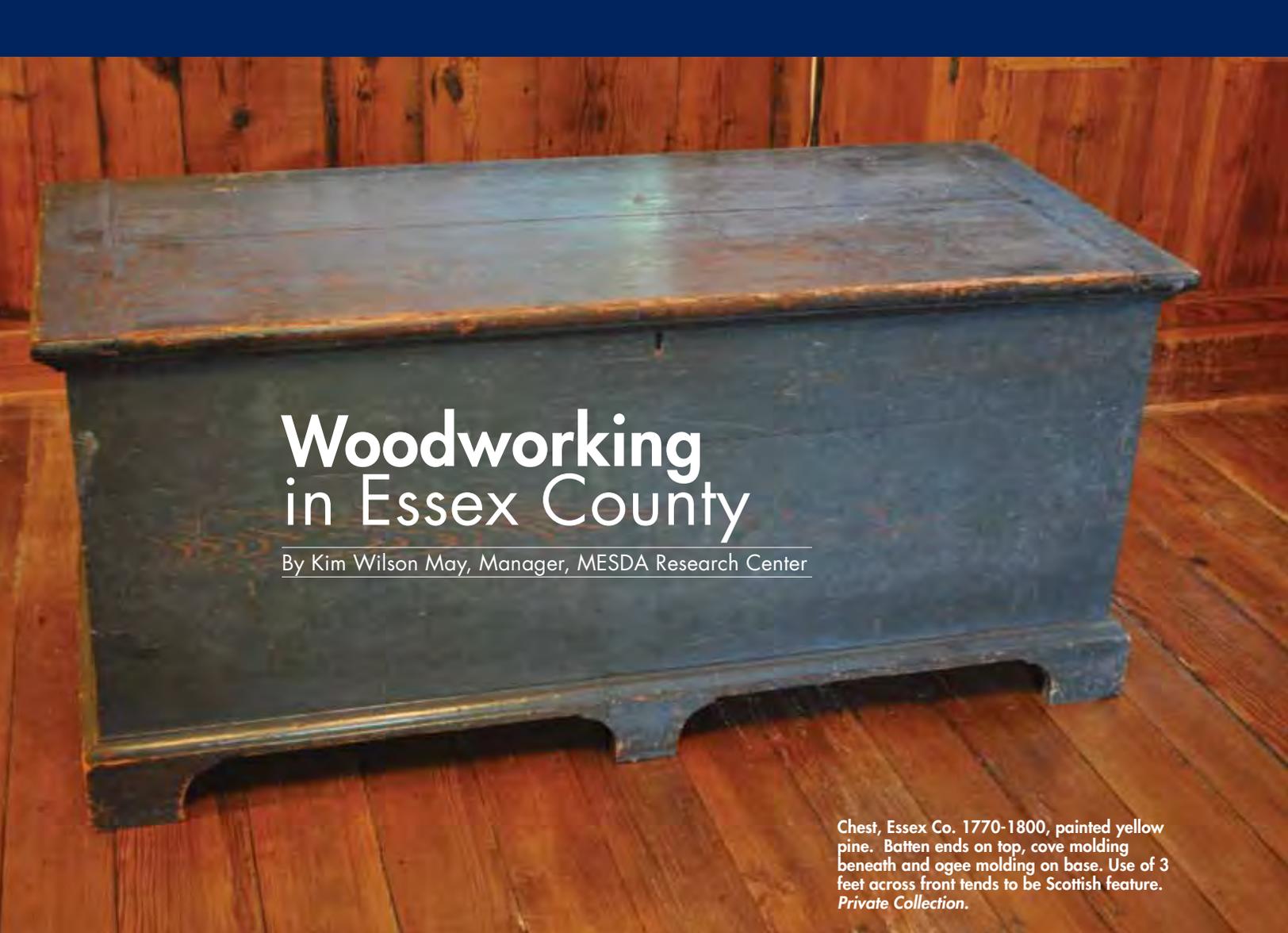
were no longer sold at auction; many Irish indentured servants renegotiated their own contracts upon arrival. Several documented Irish cabinetmakers arrived in Virginia in just this way.

Historians rely on written documents to prove the theories advanced in their research, a luxury frequently unavailable to students of material culture. Even so, a close examination of three-dimensional objects and the context of their production can often provide the evidence needed to substantiate a theory. Such is the case with the cherry and walnut furniture made in the lower Rappahannock basin and the Irish trade traditions that shaped it.

Figure 7. *Dining Table, Rappahannock River Basin, Virginia, 1755-1770. Black Walnut with yellow pine, acc#1933-39, image#DS1991-507. The Colonial Williamsburg Foundation, Museum Purchase.*



Ronald Hurst is Chief Curator and Vice President for Collections, Conservation, and Museums at the Colonial Williamsburg Foundation. He has written extensively about the cabinetmaking traditions of the early South. A more extensive treatment of Rappahannock furniture may be seen in Hurst, Ronald L., "Irish Influences on Cabinetmaking in Virginia's Rappahannock River Basin," *American Furniture* 1997. Hanover, NH: Chipstone Foundation, 1997.



Woodworking in Essex County

By Kim Wilson May, Manager, MESDA Research Center

Chest, Essex Co. 1770-1800, painted yellow pine. Batten ends on top, cove molding beneath and ogee molding on base. Use of 3 feet across front tends to be Scottish feature. *Private Collection.*

The Museum of Early Southern Decorative Arts (MESDA) Research Center at Old Salem Museums and Gardens in Winston-Salem, North Carolina, has records of more than 84,000 craftsmen working in the South prior to 1860 in 127 different trades on more than 20,000 decorative art objects. This plethora of primary documentation and photographs contains information on artisans in the woodworking trades in Essex County, Virginia, as well as photographs of furniture made in the region. MESDA has documented forty-three craftsmen working as cabinetmakers, chair makers, turners, and joiners in Essex County from 1667 to 1825. The object files contain images of seven pieces of furniture that have been attributed to the county, and even more with histories of descent in the region.

The woodworking trades in Essex County have not been studied as thoroughly as those of the county's nearby urban neighbors of Fredericksburg, Richmond, and Norfolk. These areas were larger and more heavily settled than the mostly rural Essex County, so they supported a larger and more varied woodworking industry. However, Essex County and its principal town of Tappahannock supported its own woodworking trade, one that was surprisingly active.



Secretary Desk, Essex Co. 1785-1800, writing interior concealed behind hinged top drawer fronts. *Private Collection*; Chest, 1810-1830, turned feet typical of early 19th century examples. *Private Collection*; Slant-top desk, ca 1830s-40s, descended in an African-American family in Essex Co., *Essex County Museum and Historical Society*. Many thanks to Sumpter Priddy for his assistance identifying the furniture pictured.

Sometimes the records reveal very little of woodworkers' careers because the artisans are but passing mentions in court records. Four craftsmen, Thomas Duke (1667 [dates indicate when a craftsman was recorded in a document]), John Alexander (1691-1703), Alexander Rigsby (1755), and John Chattin (1769), are known only because they were identified by their craft, "joyner" or "turner," in deeds or court records. Three others, John Hardee (1738), Richard Coleman (1744-59), and Richard St. John (1814-19), are identified only because they took apprentices in their specified trades.¹ The shops of Richard Coleman and Richard St. John were large enough to employ several apprentices at once.

The records reveal more about other craftsmen. Perhaps because the region was so rural,

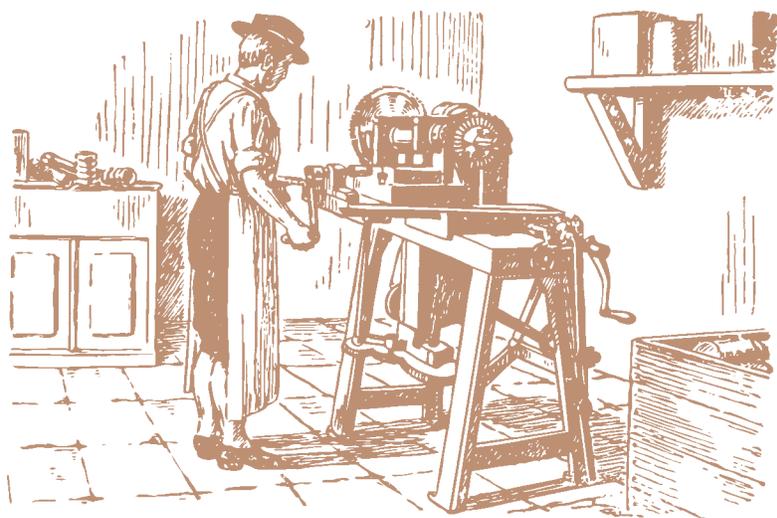
some woodworkers experienced financial difficulties. Merchant Edmund Taylor brought a suit against joiner James Mills for debt that Mills owed Taylor, and both John Curtis and William Hobday had their joiner's tools sold at "Publick Sale ... [to] pay the money arising" from their debts.² Likewise, cabinetmaker George Robinson fell on hard times as he complained to the Essex County Court in 1753 that his apprentice John Hathaway had for several weeks "absented and Refused his Service ... on pretens that he is not obliged to do any work but Shop Joyners work." Apparently this work was not steady, for Robinson further explained he did not always have joinery work for Hathaway to do. Periodically he had to hire Hathaway out, at which point Hathaway would "take his own

Wages," causing Robinson additional financial hardship.³

Even more detailed accounts of other craftsmen can be found. Essex County turner Thomas Miles lived a meager life according to the contents of his 1731 inven-

tory. His entire estate was valued at only £4:9:2. Most likely, the three men assigned to appraise his estate were no more prosperous than Miles; they were illiterate and "signed" the estate inventory with an "X" representing their signatures. Miles's inventory included a few "old tooles" and "a parcel of Turners work not joined." Miles was possibly working until the time of his death around 1731, although because his inventory lists "old tooles" and "old Lumber," it is hard to speculate. With such a small estate left behind, Miles most likely would have welcomed any opportunity for extra work, regardless of his age.⁴

John Bates Jr. was an Essex County woodworker who was more prosperous. Bates died in early 1734. Unlike Miles, Bates left a will detailing how he wished his estate to be handled after his death. He did not name a wife or any children, indicating that he may have never married or that his family predeceased him. Bates's estate was more considerable in size than Miles's. Bates owned more than 1,000 acres of land outside Essex County, which he willed to his friends and his sisters' sons. He also left "Anthony Garnett all [his] working Tools & all [his] Wareing Clothes." Bates's inventory, valued at £32:17:2, did not include household or kitchen furniture, a



possible indication of his bachelor lifestyle. However, Bates's estate did contain one male slave, a horse, and a saddle, "3 Table frames and plank for the leif of one Table," a chest, "turned Timber for six Chair fraimes," some fabric, and a pair of "old" pistols. His woodworking tools, which were absent from the inventory, may already have been in the possession of Anthony Garnett.⁵

John Hill is yet another example of a prosperous craftsman identified through his will and the contents of his inventory. Hill, of "Southfarnham Parish," died in early 1777 leaving behind a widow and four children. His inventory revealed a craftsman hard at work, and although his appraisal was not totaled, his holdings were quite valuable. Hill owned four slaves appraised at £245, livestock, farm equipment, household furniture, a still appraised at £30, and numerous woodworking tools, including "Tennant saws," rules, chisels, planes of several kinds—jointer planes, jack planes, molding planes, and smoothing planes—and a parcel of unspecified carpenter's tools. These specific tools clearly suggest his woodworking occupation, but entries such as "2 pr hinges and 2 Chest locks," and "1 Bedstead not finished" unequivocally denote his profession.⁶

Larger cabinetmaking shops generally involved the collaboration of several woodworkers. The estate inventory of John Livingston Jr., an Essex County chair maker, points toward this possibility. Livingston had died by 1752, and the wealthy and well-known Tappahannock merchant Archibald Ritchie served as Livingston's administrator. Valued at £214:19:7,

Livingston's estate contained a large variety of lumber for wood-working, including mahogany, walnut, cherry, oak, and chestnut, some of which was already in use for making furniture, such as "A parcell of Cherrie and Walnutt Cutt for Chairs," and "A parcel of Chairs almost Finished w[i]th a Parcell of Chestnutt Plank." One entry indicates that John Livingston also made riding chairs or coaches: "The Body of a Riding Chair like unto a Arm Chair." Livingston's body of work also included painted furniture, such as "A Blew Painted Bed Stidd [bedstead]." His inventory even gives a clue as to the colors he used: "3 Paint Potts, red Lead, Blew paint mixt wth Oil & Yallow Oaker." With this amount of stock on hand, Livingston most likely had some form of shop help, and this help in all probability came from the two indentured servants who were listed in his estate inventory. In Livingston's employ were "A white man named Alex Stewart (19) months [time remaining on his indenture]" and "One Old white man Timothy Donogan (25) months." Assuming that Livingston acquired these men at the beginning of their indentures, which were typically four to five years in duration, they had been working together for quite some time at Livingston's death.⁷

A possible Essex County woodworking partnership is that of "Dennet & Brown." In an account ledger of John Edmondson's, dated May 18, 1779, eighteen shillings was paid to "Dennet & Brown for making

[a] Coffin."⁸ This, however, is the only entry for the pair, although a Thomas Dennett was an active Essex County cabinetmaker during the same time period, and most likely is the "Dennet" in the partnership. Thomas Dennett was recorded in 1771 for making a coffin for James Webb. Not only did he make coffins, as did many early local woodworkers—including nine recorded at MESDA—Dennett also made furniture. In 1762 Dennett was paid a little more than eight shillings for making "1 Chest" for Rachel Young.⁹

Including Thomas Dennett, MESDA's research files reveal the names of twenty Essex County craftsmen who have been recorded doing work for individuals or the county during their lifetime. Many of these craftsmen constructed coffins and performed a variety of carpentry and cabinetmaking tasks for the county court. They include Robert Spilsbee Coleman, who in 1737 was paid by the court



Figure 1. *Chair, MESDA Research File 7415, Object Database, Museum of Early Southern Decorative Arts (MESDA) at Old Salem Museums and Gardens, Winston-Salem, NC.*

for making both a door for the courthouse and a “new barr for the Attorneys ... with a place for them to write upon with Six draws [drawers] thereto...”¹⁰

Coleman and three other craftsmen have been identified as pursuing other occupations in addition to their woodworking trades. Both Robert Spilsbee Coleman and John Seayres supplemented their incomes with tavern and ferry keeping, both probably lucrative

pursuits in Essex County.

Whether they were in financial straits, living comfortably on their woodworking trade alone, or chose to supplement their income with other occupational pursuits, Essex County artisans clearly produced furniture for the county’s citizens. Unfortunately, MESDA cannot relate a single piece of surviving furniture to a specific known craftsman. Still, pieces from the area can be found in both private

and museum collections, such as the chair (fig. 1), chest of drawers (fig. 2), and linen press (fig. 3) illustrated here. Hopefully furniture scholars will take another look and dig a little deeper into the furniture history of the county. Were these three items made by the hands of craftsmen revealed in this article? Only further research can answer that question.

¹All information used throughout this article is from the Craftsman Database, Museum of Early Southern Decorative Arts (MESDA) at Old Salem Museums and Gardens, Winston-Salem, North Carolina.

²Essex County, *Court Records Book 22*, 16 May 1759, 292; Essex County, *Orders 22, 1757-1759*, 20 June 1758, 203; Essex County, *Orders, 1767-1770*, 21 August 1770, 390.

³Essex County, *Orders, 1753-1754*, 18 July 1753, 97.

⁴Essex County, *Wills No. 5, 1730-1735*, 16 November 1731, 63.

⁵*Ibid.*, 30 December 1733, 181; *Ibid.*, 244–245.

⁶Essex County, *Wills No. 13, 1775-1785*, 3 August 1776, 61; *Ibid.*, 137.

⁷Essex County, *Order Book, 1752-1753*, 26 September 1752, 187; Essex County, *Will Book No. 9, 1750-1754*, 16 October 1752, 205.

⁸Ledger of John Edmondson Jr., 18 May 1779, private collection.

⁹Essex County, *Guardian Book No. 2, 1761-1796*, 1762, 39.

¹⁰Essex County, *Orders, 1736-1738*, 21 September 1737, 161.

Figure 2. *Chest of drawers*, MESDA Research File 7078, Object Database, Museum of Early Southern Decorative Arts (MESDA) at Old Salem Museums and Gardens, Winston-Salem, NC.



Figure 3. *Linen Press*, MESDA Research File S-6128, Object Database, Museum of Early Southern Decorative Arts (MESDA) at Old Salem Museums and Gardens, Winston-Salem, NC



American Beech at Edenetta
Photograph by Susan Bance

Virginia Department of Forestry

Conservation Easement Program



Goal

The goal of the Virginia Department of Forestry (VDOP) Conservation Easement Program is to enable forest landowners to make certain their land is available for forest management in perpetuity. Managed or working forests provide a sustainable flow of natural goods and services that benefit all Virginians. Because larger blocks of working forest provide the greatest range of benefits, VDOP conservation easements focus on keeping the forestland intact and unfragmented, protecting the ability of current and future landowners to manage their forestland for timber products and environmental values.

Working Forest Defined

All forests “work” by providing clean water and air, wildlife habitat, and scenic values, as well as traditional forest products such as lumber, pulp, and firewood. A “working forest” is one that is actively managed using a forest stewardship management plan as the roadmap or guide to achieve the landowner’s goals. Intact working forest landscapes sustain not only the flow of ecosystem and open space values, but also the economic and community benefits that arise from a forest’s production of goods and services.

Benefits of Working Forest

Virginia has 15.7 million acres of forestland, 75% of which is owned and controlled by non-industrial private owners. These forestlands provide over \$27.5 billion in goods and services annually, and account for nearly 144,000 forestry-related jobs. Our forests also provide \$1.7 billion in ecosystem services such as clean air and water, groundwater recharge, and carbon sequestration.

The Need for Working Forest Conservation Easements

The division of large blocks of forestland into smaller, separate ownerships is called parcelization. It represents one of the most significant challenges to maintaining working forests, and their sustainable flow of timber products and environmental benefits.

As parcel size decreases, several factors combine to limit the potential for sustaining the working forest land base. Forest management becomes less cost effective and some activities become cost prohibitive; fewer consultants and contractors are willing or able to work on small properties. The acreage that is available for management decreases as buffers around property lines and houses occupy a larger proportion of the total

acreage. Dividing large forest blocks among different owners compounds the problem, as each owner has their own stewardship plan, their own goals, and their own timetables for management. One of the primary goals of the VDOF Conservation Easement program is to minimize parcelization and maintain the forest in larger, single ownerships.

What is a Working Forest Conservation Easement (WFCE)?

A WFCE protects forest values and benefits by assuring sustainable forest management practices will run with the property in perpetuity, thus providing continuous supplies of forest products and environmental services such as clean air and water, wildlife habitat, and scenic values.

If forest landowners want to ensure that their forest stewardship efforts extend beyond their tenure and are available for future generations to use and cherish, a WFCE may be of interest.

Department of Forestry WFCE Elements

A WFCE looks much like a traditional conservation easement, except that the easement terms are considered

based primarily upon their impact upon the working forest land base. Language is included in the easement that will guide and encourage long-term natural resources stewardship within the context of a forest stewardship management plan.

A WFCE requires:

1. A written forest stewardship management plan prepared by either a private consulting forester or a VDOF forester. The management plan, tailored to landowner and easement goals, should fully address conservation values protected by the easement.
2. A written pre-harvest plan before any timber harvesting can take place.
3. Best management practices to be implemented with any timber harvesting.

While a forest stewardship management plan is required, timber harvesting is not mandated by the terms of the conservation easement. Landowner's management goals are based on their individual needs and the DOF will not recommend or exclude any specific forest management practice within the terms of the easement.



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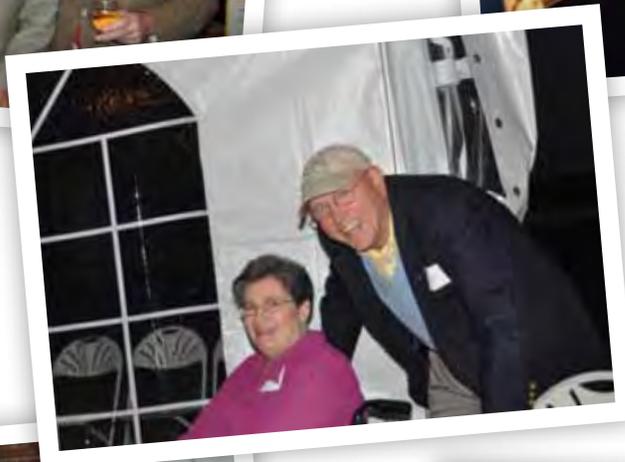
ECCA 2011 Fall Meeting



Lila Critz, Charlie Seilheimer
and Dale Critz



Vance Spilman



Lillian and Tommy
Blackwell

Charles Lane

Walker Box and Alice Wellford



Betty Ann Garrett
and Sam Sturt



Heinz and Isabel Welger-Merkel and Hannah Rose



Robert Allen,
Muscoe Garnett
and Tripp
Taliaferro



Virginia and
Virginia Lane

Peter Bance
and MaryMoss
Walker



Tayloe Murphy,
Pete and
Libby Tribble



ECCA 2012 Fall Meeting

Our fall meeting and Silent Auction will be held at 6:00pm at Oakalona the home of General and Mrs. Carl Strock, Friday September 28th, 2012. Our Speaker for the September Meeting will be Harry Atherton of Marshall, Virginia.



Back by popular demand (Harry spoke to use at Wheatland in 2010), Harry brings a unique perspective to land preservation given his many years of public service. As former planning commissioner in Fauquier County for 18 years, Harry was elected to the Board of Supervisors of Fauquier for the terms of 2000-2003 and 2004-2007. 3 of those years he service as Chairman and two as Vice Chairman. From 2000-2007, Harry was vice chairman of the Rappahannock River Basin Commission and currently he is a Trustee of Virginia Outdoors Foundation.

"We are truly honored to host the Essex County Countryside Alliance Annual Meeting here at Oakalona. This is a wonderful opportunity for us to meet more of our neighbors and participate in this very worthwhile organization. We became familiar and very interested in ECCA shortly after buying Oakalona six years ago.

After traveling with the Army for some thirty years, we wanted to find a place where we could become part of a community, make friends, and contribute. We have had family ties to Westmoreland County for generations and many friends in Tappahannock through the years.

Seeing a picture of Oakalona in a real estate sales magazine, we decided to have a look at this stately 1840 house in the middle of a cornfield. There isn't enough space here to describe the condition it was in or the work we have had to do these last six years. Let's just say that Oakalona needed us and as it turns out, we needed Oakalona. It is our home now and we couldn't imagine living anywhere else in the world.

Many thanks to Peter Bance for showing us Wheatland, which was built by the same builder as Oakalona, and for his leadership in the ECCA." – Carl and Julie Strock



Photo by Betty Jo Butler

Hylah Boyd: ECCA's Not So Secret Preservation Weapon

By Liza Bance

Hylah Haile Boyd shines with light. She has dedicated years of selfless work and attention to conservation in Virginia, including The Tuckahoe Garden Club, Garden Club of Virginia and Scenic Virginia, to name a few. Hylah received the Garden Club of Virginia's de Lacy Gray's Award for conservation in 1999 and the Garden Club of America's Cynthia Pratt Laughlin Medal for conservation in April 2002.

Born and raised in Minor, Virginia, Hylah became aware of the beauty in nature, growing up at Elton Farm. Her father and grandfather tended to a meadow full of wildflowers, beside a stream just behind her farm, where she loved to ride horses as a child.



Ahead of their time, her father and grandfather left a protective border of trees along the stream, years before the Chesapeake Bay Act of the 1980s came into existence, which required buffer strips along streams. Her father won awards for conservation from the Soil and Water Conservation District, and would often clean up trash along the roads near the family farm. Not only did he feel strongly about conservation, but Hylah would one day feel this strongly as well.

As the founder and chairman of Scenic Virginia, Hylah fought the billboard industry. A year round non profit was needed to tend to Virginia's incomparable beauty. "Much of our commonwealth's landscape was turning from fertile farm fields to asphalt, and there seemed to be no end to it," Hylah remarks. Soon after forming Scenic Virginia, Hylah pushed for a Scenic Byway designation for Route 17, north of Tappahannock, and with the help of the Middle Peninsula Garden Club and state representatives, the road was designated a Scenic Byway. Land adjacent to the byway, thereby gained conservation value and facilitated the transferring of conservation easements.

"We draw conclusions about a community in large part from its appearance. Do you really want Essex to look like the yellow pages?" Hylah exclaims. Now large sections of Essex are free from off-site sign clutter.

What are the greatest attributes of Essex County?

"The county's family farms, its open spaces and forested lands, the Rappahannock River with its marshes and beaches, the view across the river particularly from the town of Tappahannock, the county's unparalleled history, and, of course, the town of Tappahannock," Hylah states.

How did you become involved in Essex County?

"I'm fortunate to have been involved with many conservation organizations over the years, so naturally I was drawn to support the mission of ECCA," Hylah says. "When I was asked to join the board, I readily accepted, even though I have not lived in Essex since college. ECCA gives me the opportunity to lend a small effort to protecting the family farms and open space in Essex that are a part of the county's history, are the backbone to the county's future and the source of its beauty."

What contributions do you think ECCA has made to Essex County in its brief 5 year history?

"ECCA has given county landowners and residents a real appreciation for its rural heritage. Too often we don't see what's before our eyes and we take our surroundings for granted. Too often we don't see what's before our eyes. When a favorite place changes character or disappears, we wonder what happened. ECCA is a wonderful

vehicle for showing how we can preserve the best of the county in its rural and uncluttered spaces, while guiding inevitable growth in an orderly and attractive way."

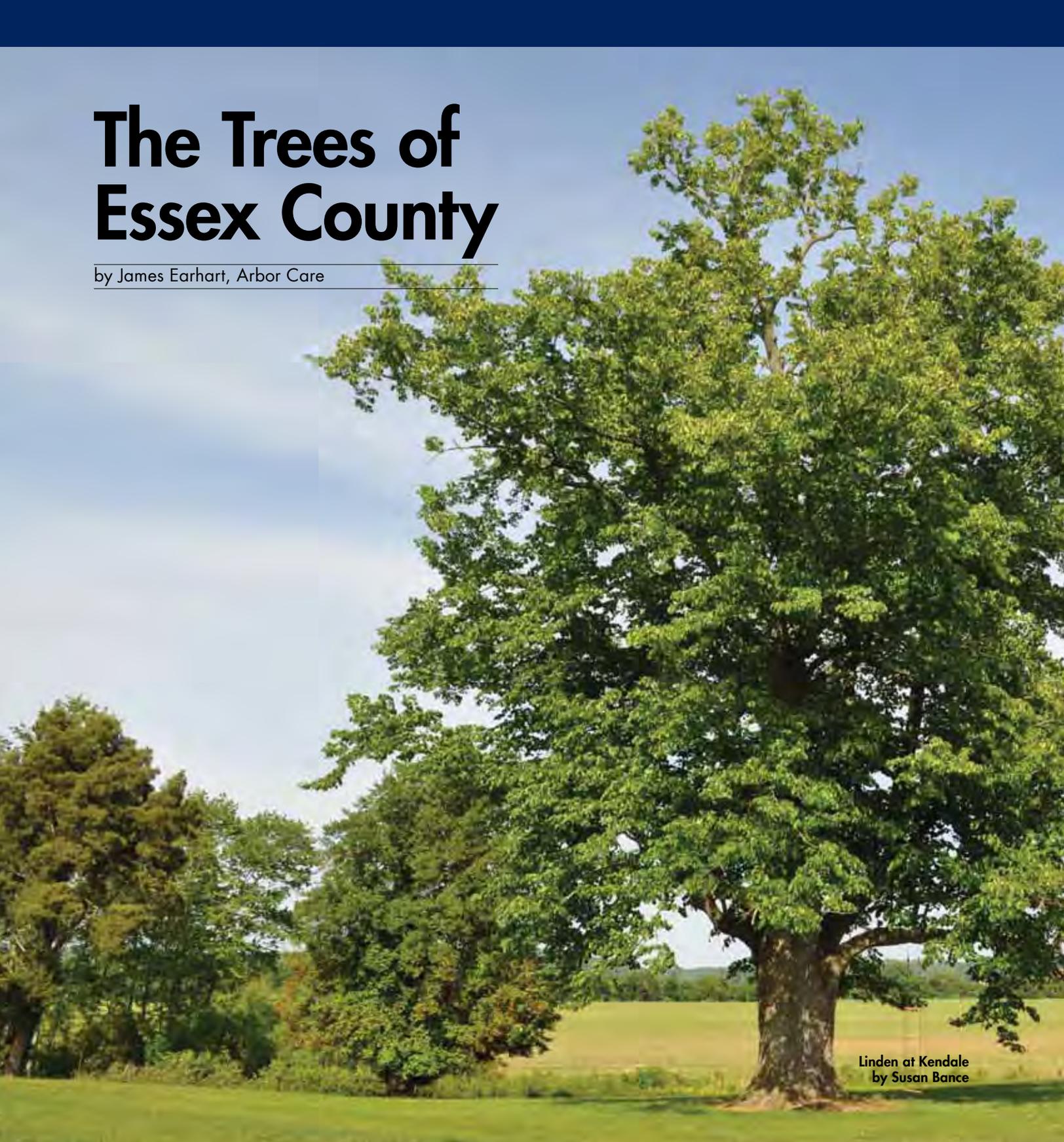
"Whether educating landowners on the benefits of conservation easements, working towards the designation of Rural Historic Districts or simply being a presence at the farmers market supporting local farmers, ECCA is a force for good in the county and I'm proud to be a part of it."

How would you like Essex County to look in 25 years?

"Attractive communities improve the quality of life both for residents and visitors and is ultimately good for business. It is important that towns and communities showcase their distinctive character. Essex is predominantly rural, alongside a beautiful river with spectacular marshes and beaches. It has some of the warmest and most engaging people anywhere. All these factors can be economic drivers if the county protects its family farms, supports a thriving town center, encourages the building of desirable places for people to live and creates programs to highlight its abundant history and natural resources. It wouldn't hurt to encourage the landscaping of business corridors. The Main Street Program is a huge step in the right direction. Bringing back the wharf would be a boon. I hope progress is made on all these fronts over the next 25 years and beyond into the future."

The Trees of Essex County

by James Earhart, Arbor Care



Linden at Kendale
by Susan Bance

Small photos left to right: Linden at Kendale by Hill Wellford, American Beech at Edeneta by Susan Bance, White Oak at Kendale by Hill Wellford, Pecan at Wheatland by Susan Bance, Bald Cypress at Daingerfield Landing by Hill Wellford



For years Essex County has been a home to historic plantations and houses. Among the most significant features of these properties are the amazing trees that surround them. A few of these giants witnessed the construction of the neighboring historic houses, or in some cases the homes were built under their wide canopies.

Native varieties frequently seen in our county are willow oak, red oak, American beech, black walnut, sycamore, Osage orange, and tulip poplar, to name a few. They and other native species have thrived in Essex County for centuries and are among the largest trees on the eastern seaboard.

While our climate, elevation, and weather patterns will not allow trees to grow to the size of a giant sequoia, the trees in our area are widely known for their size and beauty. There are many reasons for this. For example, our plant hardiness zone (cold weather extreme) is almost ideal for the rapid growth of these species. Limited development in Essex has helped to keep the soil undisturbed and allows for a richer organic layer of soil on the surface. This stimulates feeder root growth and extends tree life. Once a tree reaches a certain size and age, it becomes more susceptible to the harsh weather that can affect this region. Snow and ice often claim large portions of the canopy, or at times the entire tree. Hurricanes also cause wide-spread damage to older trees.

The tulip poplars of Elmwood Farm in upper Essex reach heights of more than a hundred feet with a base diameter of more than five feet. Some of the Osage oranges at Wheatland, also in upper Essex County, have a diameter at ground

level of approximately nine feet. The American beech at Edenetta is of noteworthy proportions, with long, low-hanging limbs. The House of Shelba, in Millers Tavern, has a black walnut that is close to eighty-five feet high with a diameter of approximately 4.5 feet. The amazing feature of this tree is its near-perfect limb structure. As you look up at the crown, you can see the straight, dominant leader in the middle of its canopy. The lateral limbs originate from the trunk at different places, forming a nice scaffold effect. This growth pattern is conducive to strong limb development.

Maintenance methods that help preserve these historic trees and make it safer to live around them include pruning dead and damaged limbs, installation of lightning protection, and prevention of soil compaction under and around the canopy of the tree. Support cables and bracing systems can also be used when there is a weak branch union or vertical crack in the trunk. They can help reduce the risk of further limb failure if properly installed. Dead limbs are prone to disease and often used by insects to access the interior of the limbs and trunk. Removing dead limbs can reduce the risk of this type of invasion and also prevent property damage caused by falling debris.

Root damage often occurs when vehicles and equipment are driven across the root system. In high traffic areas the soil can become compacted, which damages roots. The trees feeder roots commonly reach to twice the trunk radius, and even to twice the distance of the canopy drip line. These fine roots are found 6–8 inches beneath the surface and become crushed when

Tulip Poplar at Kendale with Hill Wellford

Photograph by Susan Bance



soil around them is compacted. A symptom of feeder root damage is the uniform die-back of branch ends. The leaves sometimes turn a light green as well.

The trees of Essex County have always been here, even before the first ship ventured up the Rappahannock. Most of the region was under their shade. Preserving and enjoying them is something that we all can do. We can't live without them.

James Earhart is a certified arborist who has lived in



Essex County for six years and is at home in these great trees. As a competition climber, James has been fortunate enough to win the regional title three times and will be traveling to Portland, Oregon for his third world competition. He has also competed and worked on trees in states such as Pennsylvania, Maryland, Georgia, Missouri, Illinois, Texas, and California. In 2004 James climbed the Stagg Tree, a giant sequoia in Tulare County, California. This tree is 242 feet tall and 25 feet in diameter at ground level.

| County | Acres under Easement | Total Acres | % in Easement |
|----------------|----------------------|-------------|---------------|
| Clarke | 20,544.91 | 113,036.62 | 18.18% |
| Albemarle | 83,484.99 | 462,469.68 | 18.05% |
| Rappahannock | 29,052.44 | 170,604.53 | 17.03% |
| King and Queen | 19,609.60 | 202,406.08 | 9.69% |
| Essex | 14,026.65 | 164,972.54 | 8.50% |
| Westmoreland | 7,106.11 | 146,674.97 | 4.84% |
| Richmond | 6,134.18 | 122,534.21 | 5.01% |
| King George | 4,585.70 | 115,199.82 | 3.98% |
| Middlesex | 3,167.62 | 83,391.87 | 3.80% |
| Lancaster | 2,386.07 | 85,209.47 | 2.80% |
| Northumberland | 3,475.66 | 123,071.81 | 2.82% |
| Caroline | 5,954.39 | 340,812.27 | 1.75% |
| Gloucester | 1,573.71 | 138,630.18 | 1.14% |
| Mathews | 432.90 | 54,835.11 | 0.79% |



Red Oak at Wheatland
 Photograph by Susan Bance

Natural Cycles in Deep Time: The Geological Origins of Essex County and the Lower Rappahannock

by Kevin Goff



View from 301 Bridge, Port Royal

Photograph © Bill Portlock

I believe that one cannot understand our local ecology without also understanding its geologic setting. Viewed from the vantage of geologic time, the lower Rappahannock that we love today is but a split-second snapshot in a very long film. In this article I describe a handful of natural cycles—some occurring on the order

of centuries and millennia, others over hundreds of millions of years—that have shaped Essex County and sculpted its waterfront. I will also suggest that because it's difficult to discern some of those cycles, it is easy to interrupt them, and that doing so degrades the ecosystem that we would like to leave our grandchildren in ways that will

not be simple to undo. This is not a doom-and-gloom essay. Mostly it's just a descriptive tale of how the Essex County and lower Rappahannock landscape came to be, but it does harbor a cautionary message about excessive waterfront development and some potential consequences of not letting natural history repeat itself.

It's often said that those who ignore history are doomed to repeat it. (Santayana's actual quote was rather different: "Those who cannot remember the past are condemned to repeat it.") When it comes to the geological and ecological past, though, there is an opposite danger: Those who ignore natural history are doomed not to repeat it. In a sense, nature is nothing but cycles. Some cycles we perceive easily: the 24-hour spin of Earth on its axis, the return of gastric grumbling five hours after we feed an empty stomach, the blossoming of fruit trees and the migrations of herring in spring, the crashing of cyclones into coastlines in fall, the ebb and flow of twice-daily tides. Cycles that recur over longer timescales, however, are more difficult to discern: the 17-year swarms of cicadas, the 75-year orbit of Halley's comet, the patterned yet seemingly unpredictable incidence of earthquakes, the back-and-forth jockeying of acacia forest and savannah grassland for African real estate, the advance and retreat of continental glaciers with the waxing and waning of ice ages, the eruption of elderly stars into supernovae which nourish nebulae destined to collapse into newborn stars.

Cycle #1: Orogenous Zones and the Eternal Return of the Atlantic

Travel westward on Route 17 into the Appalachian foothills and highlands, and you will encounter something that exists nowhere in Essex County: exposed rock. Everywhere on Earth, exposed rock is the signature of uplift, a skyward rising of rock followed inevitably by

downward erosion. It is the latter that perpetually strips elevated rock of soil and sediment, exposing it to view; gravity does the work. Essex County is low and flat, and has been for a long time, so the only large rocks you will see here are those that were ferried in on barges and trucks. Nevertheless, the farmland and forest floors beneath

our feet are almost entirely the residue of rocky mountains past. Let me precede my description of Essex County's mountainous past with a short review of basic geology.

Mountains rise and mountains fall, and for the most part, they do so because oceans open and oceans close. There have been at least three "Atlantic Oceans" to



Many of Virginia's rocks are the remains of dockings during Iapetan closing. First to dock was a volcanic island arc (think Japan), itself being spewed up beside a seafloor-swallowing trench, and the impact kicked up the Taconic Mountains, which have long since eroded away.

our present-day east (which wasn't always east), and perhaps more. The Atlantic's cycle of rebirth results from the restless relative motions of our planet's dozen or so tectonic plates. Earth's brittle crust is subdivided by a web of cracks, rather like the shell of a hardboiled egg. Unlike an eggshell, though, there are thicker regions that bulge outward—the continental land masses—and thinner regions that lie low and collect water—the oceans. Also unlike an eggshell, the subsections slowly slide all around. This sliding is driven by localized lenses and lines of heat upwelling from deep within Earth, fueled by a furnace of radioactively decaying elements. Gravity generally causes plates to slide “downhill,” away from hot, less dense areas toward cooler, denser areas. Right now, the Atlantic Ocean is widening at roughly the rate at which fingernails grow because there is a long, hot spine of molten rock that bisects the Atlantic seafloor from

north to south, causing the North American plate to drift westward while the African and Eurasian plates drift eastward.

Of course, on a round planet, an ocean widening in one part of the world must be accompanied by the shrinking of an ocean elsewhere. And that's what the Pacific is doing. Its seafloor is being consumed on multiple flanks by deep sea trenches where elderly seafloor dives down into the hot earth from which it came. The contemporary Atlantic and Pacific represent two stages in the long life cycle of oceans. The birth of a new ocean begins when heat builds up beneath a continent and fans outward, forming a pair of convective conveyor belts that stretch Earth's crust in opposite directions. This stretching literally pulls the local rock apart, creating rift valleys and rift lakes (e.g., Lake Victoria and Lake Malawi in East Africa). Further stretching causes the land to subside—not unlike the

downward dip that you'd get in the middle of a Milky Way candy bar by slowly pulling it apart—and once below sea level, it is only a matter of time before seawater finds a way in and fills it (e.g., the Red Sea, a newborn ocean). This childhood is followed by a multimillion-year adolescence of steady seafloor spreading (e.g., the still-growing Atlantic), and then middle age (e.g., the big but contracting Pacific), and then the golden years, when it is no longer large enough to merit the title “ocean” (the once mighty Mediterranean, now not long for this world). Finally there is closure, as one continental land mass docks onto another.

At various points throughout this life cycle, new mountains will often be built. Geologists dub such mountain-building events an orogeny (pronounced or-RAW-jinee ... surely the sexiest word in all of geoscience). When continental crust first begins to rift, it breaks up into enormous

blocks that sit shoulder-to-shoulder, and as further stretching widens the gap between them, the blocks tip to one side, rather the way unsupported books on a bookshelf will lean at an angle. This tilting elevates some rock while sinking other rock, turning the level landscape into a basin-and-range topography: peaky, parallel ridges separated by broad, flat valleys. We see this in Utah today (yes, a new ocean is being born in the American Southwest). Rifting also often allows molten magma to ooze up through the new cracks in the crust, which spreads across Earth's surface, quickly cools, and solidifies into new rock. Once the rift zone has become a bona fide ocean, this upwelling magma constantly creates new seafloor at the spreading center, building up giant underwater mountains (e.g., the mid-Atlantic ridge). Later, where old seafloor gets swallowed up by oceanic trenches, a new kind of mountain forms: volcanoes. As the old seafloor dives downward, the rock is reheated and some of it melts and bubbles back to the surface, where it forms either coastal mountains (e.g., the Cascades and Andes) or an arc of island volcanoes (e.g., the Aleutian islands of Alaska). Finally, mountains also form as an ocean closes and one continental land mass docks onto another, compressing the crust and squeezing rock skyward. The Alps were formed by the docking onto southern Europe of the microcontinent we call Italy, and the Himalayas are still being formed by the docking of the Indian subcontinent onto southern Asia.

Believe it or not, the part of the world that we call Essex County has been witness to (or at least within earshot of) all of these

Earth-shaking, Earth-shaping events and cycles. Half a billion years ago, the Atlantic Ocean was not yet born, but in its place was an earlier ocean that geologists name Iapetus (eye-APP-atuss). It was speckled with various land masses, and it was closing. Look at a map of Australia and the countless islands to its north. Australia sits atop the Indo-Australian Plate, which is "rapidly" migrating northward. As Australia heads north, it will scoop up all those intervening islands like driftwood piling up against a Rappahannock riverbank. Australia's future is Virginia's past. Many of Virginia's rocks are the remains of dockings during Iapetan closing. First to dock was a volcanic island arc (think Japan), itself being spewed up beside a seafloor-swallowing trench, and the impact kicked up the Taconic Mountains, which have long since eroded away. Next to dock was a microcontinent (think New Zealand) known as Avalon, creating the Acadian Mountains, which, in turn, eroded. These localized orogenies were followed by a truly massive event, the docking of Africa onto North America. This sluggish but powerful "collision" caused some rock layers to bow and buckle toward the heavens while others were shoved atop more westward rock layers like a flat-bottom raft sliding up a boat ramp. Ultimately, the crustal compression pitched up mountains of Himalayan dimension: the young Appalachians. These, of course, are still weathering away to our west.

Virginia is a mosaic of rocks left behind by the Taconic, Acadian, and Alleghanian orogenies, as well as the microcontinent Avalon and the arc of volcanic islands, plus tons of ancient seafloor that got

sandwiched in and bulldozed up onto the continent during each successive collision. This patchwork platform still exists somewhere beneath the soles of our shoes, but whereas it once stood high above sea level, we would now have to dig down hundreds of feet to find it. What happened?

Cycle #2: The Sculpting of Sedimentary Shorelines by Oscillating Sea Level

What happened was the other half of the oceanic life cycle: another round of rifting. And it was this that set the stage for laying down the flat, rock-less, sedimentary environment that we see in Essex today. Soon after the closing of Iapetus had crunched everything together, simultaneously shortening and thickening Earth's crust via uplift, folding, and thrust-faulting, it all began to stretch back out again. The freshly thickened blanket of continental crust caused heat to build up underneath until a lens of hot magma began pressing upward. In response, the tectonic plate dutifully began to slide away, both left and right. The patches of different rock that had been compressed together, accordion-style, were drawn out again. In what we now call Tidewater and Piedmont Virginia, there were rift valleys and rift lakes. There were fresh lava flows. Perhaps there was a Utah-esque basin-and-range topography. Huge expanses of crust split asunder, allowing whole blocks of it to drop downward. (The earthquake in Louisa last fall was probably an echo of this ancient rifting and faulting.) Where once there were lofty mountains, now the plate stretched so thin that it dipped below sea level. And soon

there was a coast: Africa drifted off over the horizon, and the largest, deepest of the rift valleys morphed into the Atlantic Ocean.

The opening of the Atlantic brought something new and important to Virginia: eastward-flowing rivers. Until then, most of the eroding bits of rock from the Taconic, Acadian, and Appalachian mountains had washed westward. But with a young ocean now in the east, rivers could carry sand and silt in the direction of modern-day Essex County. These sediments, shed seaward from the highlands, soon filled in all those new rift valleys and lakes, a bit like shoveling a mound of dirt back into a hole. (We know from seismic soundings, akin to sonar, that these buried basins lie under much of Piedmont and Tidewater.) One of the east-flowing rivers that eventually developed was, of course, the Rappahannock.

This downwashing of sediment managed to entomb most of the naked rock this side of the Blue Ridge, but there was one more event that would bury it for good: a surging sea level. Over geologic time, global sea level rises and falls in periodic patterns. The reasons for this are complex, but once again, the phenomenon is cyclical. It is tied to changes in Earth's climate that in turn stem from systematic swivels and wobbles in the planet's orbit, hence proximity to the sun. During cooler periods (ice ages), precipitation falls largely as snow and sleet rather than rain, and so gets trapped upon dry land, failing to flow back to sea. Consequently, evaporation slowly drains the oceanic bathtub. When the climate warms again, the meltwater from snow, ice, and

continental glaciers returns to the ocean, and the bathtub refills. Sea level rises.

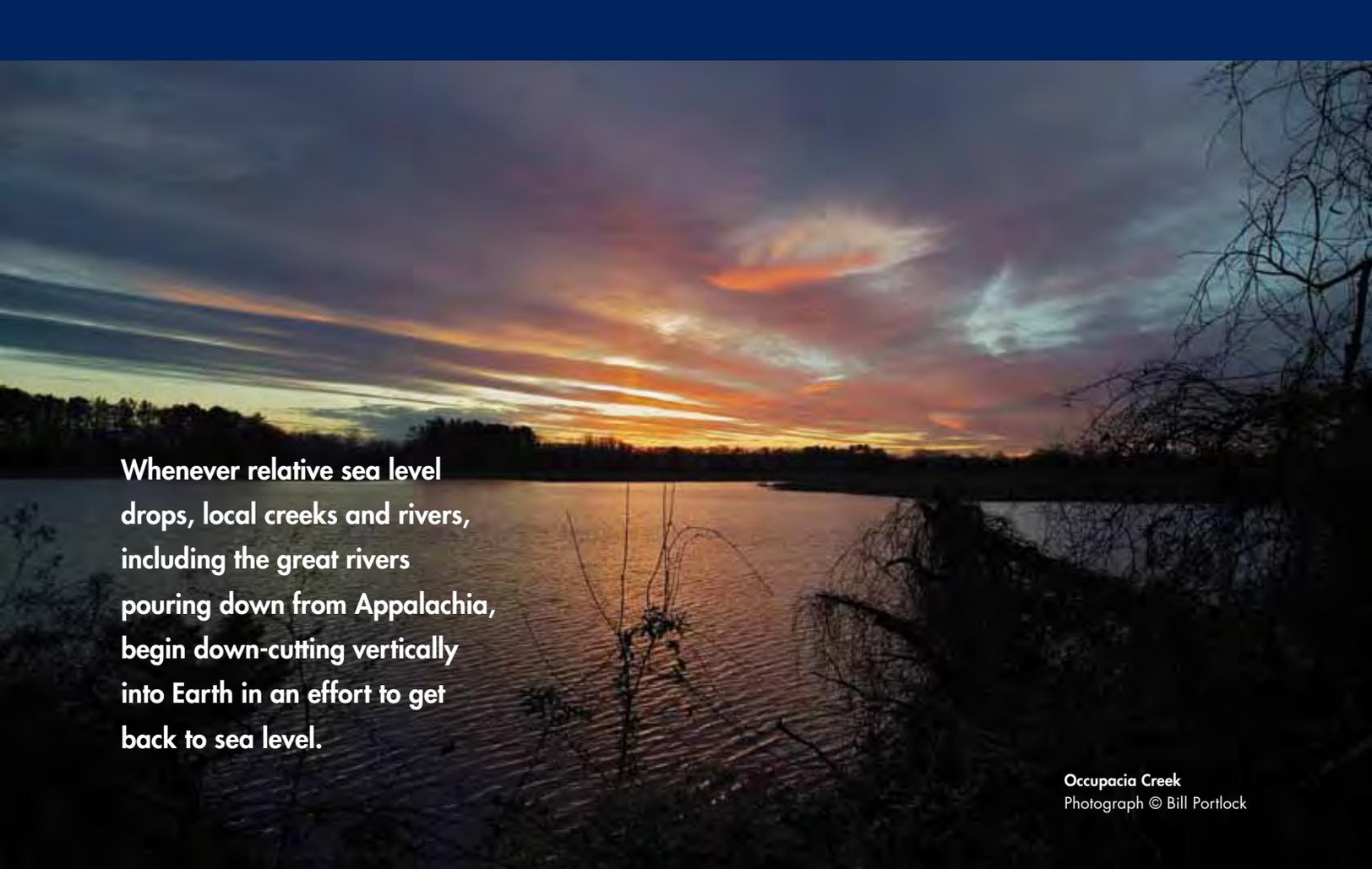
At times, sea level transgressed completely across Essex County and even a bit beyond I-95, and when it did, it laid down a blanket of sand and silt that covered everything. I once plucked pieces of a prehistoric whale skull from the bluffs above the Rappahannock across from Champlain, proof that those are marine deposits. Although it's been quite a while since sea level was high enough to submerge all of Essex County, it has continued to bounce up and down, just not as far inland. It is these latter-day oscillations that have etched out Essex's current contours. The landscape left by the last retreat of the Atlantic would have been pancake flat, every bit as smooth and planed as the sandy seafloor on Virginia's continental shelf today. Yet Essex County isn't flat now (well, not completely). Two processes carved our countryside into its present form: down-cutting and bank-cutting.

Whenever relative sea level drops, local creeks and rivers, including the great rivers pouring down from Appalachia, begin down-cutting vertically into Earth in an effort to get back to sea level. We see small-scale examples of this on Routes 17 and 360: V-shaped hollows near Caret, Champlain, Loretto, and Paul's Crossroads. On a larger scale, the deep central channel of the lower Rappahannock, flagged for boats and barges by green and white buoys, is the vestige of a V-shaped valley carved out during the last ice age when the river was much narrower and faster-flowing en route to an Atlantic that was

hundreds of feet lower than it is today. (No, contrary to common belief, glaciers were not responsible for scouring out our river valleys, nor Chesapeake Bay; the polar ice caps expanded as far south as Pennsylvania but never made it to Virginia.) Now, water really is not very abrasive or erosive, so what enabled creeks and rivers to dissect Essex County into these contours is the fact that it's all a bed of soft sediment, thanks to that ancient rifting, in-filling, and marine deposition. If Essex were as hard and rocky as much of coastal New England, Alaska, and California, things would have gone quite differently.

The marshy hollows where Route 17 crosses Piscataway, Hoskins, and Mount Landing tell a different story, not of falling sea level but of a rising one. At the end of the last ice age, as meltwater to the north refilled the Atlantic bathtub, seawater back-flooded up into the Chesapeake (which at the time was itself just a narrow river—namely, the Susquehanna). From there, the water pressed up the Rappahannock and into the mouths of local creeks. As the water level rose, it spilled over the old banks and onto their flat flanks. This flooding created the shallow shoals that sit astride the channel today. (On a low tide, one can wade out several hundred yards behind St. Margaret's and still be only bellybutton deep—but mind the drop-off thereafter.) On the shallowest shoals, especially those sheltered from wave energy inside the mouths of creeks, marsh grasses took root, creating beautiful and ecologically vital wetlands.

Meanwhile, on stretches of creek and river where the ground



Whenever relative sea level drops, local creeks and rivers, including the great rivers pouring down from Appalachia, begin down-cutting vertically into Earth in an effort to get back to sea level.

Occupacia Creek
Photograph © Bill Portlock

was higher, the rising water notched out steep bluffs. Within creeks this was mainly the work of meanders carving out cutbanks. On the open Rappahannock it was mainly the work of wave action slowly undermining the foot of embankments until gravity brought down the overlying sediment in sudden slumps and slides. This is still happening in a few places in Essex County. The tall, vertical cliffs across from Champlain and upriver from Loretto are active scarps, still retreating inland and hence great places to hunt for fossilized shark teeth perpetually exposed by erosion. However, that is just the aftermath of the most recent ice age. There were many previous sea-level oscillations, and some of those left remains of more ancient scarps (no longer quite so steep). The stair-step-like climbs of

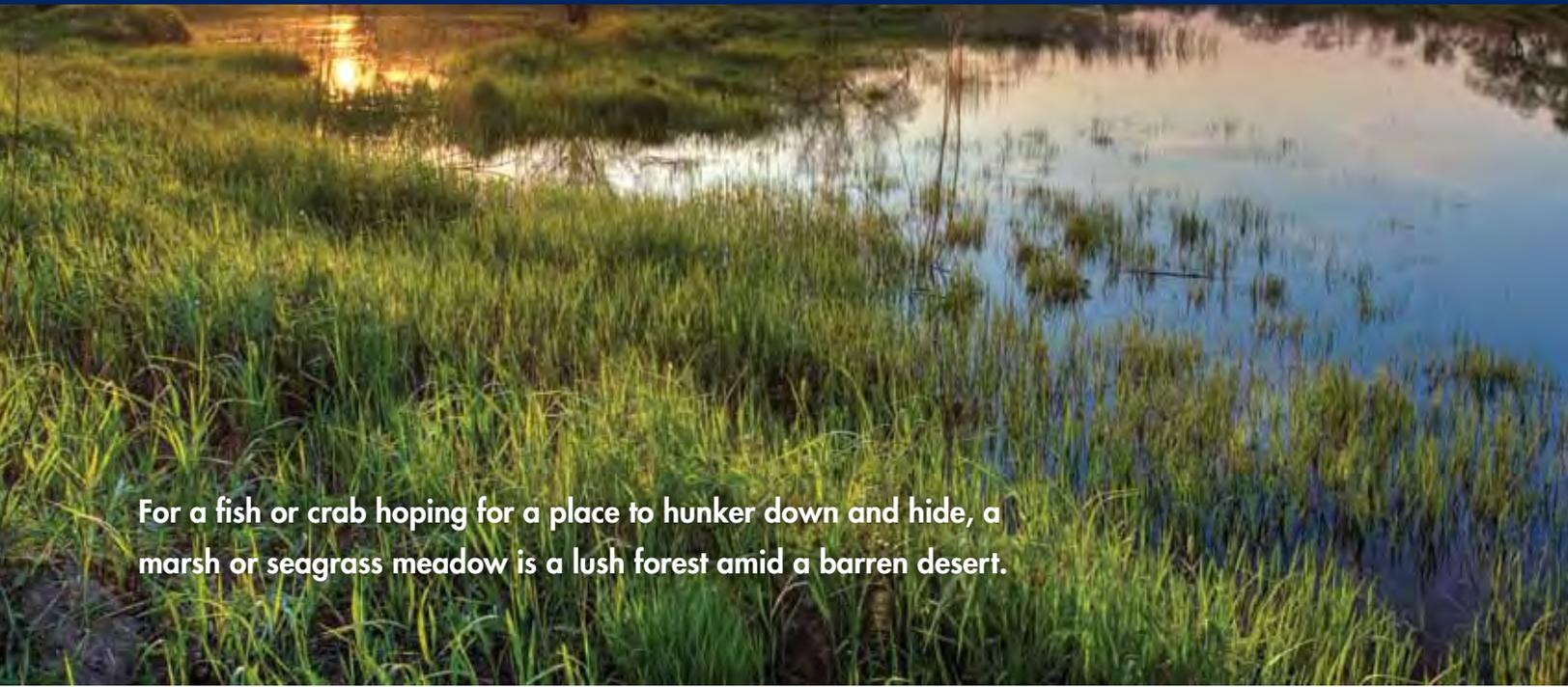
Routes 17 and 360 at Bray's Fork, Broadus Flats, Port Royal, Red Hill, and just past Gwynnfield are old riverside bluffs, the relics of past ice-age and sea-level cycles.

These sea-level cycles are directly responsible for the formation and perpetuation of the four most important ecological habitats of the lower Rappahannock and other subestuaries of Chesapeake Bay: oyster reefs, seagrass meadows, wetlands, and fallen shoreline trees. These vital habitats embody natural cycles of their own that are vulnerable to human activity. I close with a look at those.

Cycle #3: The Self-Perpetuations of Three-Dimensional Habitat

The fingerprints of deep history are all around us. One can read time in everything. I will never forget my first view of the Grand Canyon,

and neither will you if you've been there. One drives through scrubby desert and Ponderosa pine forest, then walks along rather unremarkable footpaths, not really prepared for the colossal vista that's just around the bend. Unlike mountain ranges, there is no advance indication that something huge is near, and there is no inching up on it. Suddenly there it is. You don't so much see it as feel it. The initial encounter is visceral, a sort of rollercoaster thrill, combining both of the emotions we dub awe: fear and wonder. (Our minds are simultaneously adapted to recoil from the precipitous lips of cliffs and to adore long, open views reminiscent of the African savannah.) The colors and contours and vastness of it crash and wash over you like a squall line racing down the Rappahannock and across your bow.



For a fish or crab hoping for a place to hunker down and hide, a marsh or seagrass meadow is a lush forest amid a barren desert.

Myself, I remained immersed in the present for several tens of minutes after that first glimpse, just scanning and soaking in the miles upon miles of extraordinary landscape in the here and now. Soon, however, my mind turned analytical. I began to see the canyon not just as it was but how it came to be. Quite obvious is the fact that the multicolored horizontal layers represent different ages of rock, exposed by the downcutting of the Colorado River. But the history is not just vertical; it's lateral. There are dozens of side canyons, and within those even more chasms and ravines, and within those still smaller gorges and gullies. In my mind's eye I was able to imagine the sequences by which rivers, streams, and gully washers opened up Earth both downward and outward, establishing over millions of years an evermore intricate sculpture. I could imagine the rock slides and debris spills that angled the walls of the canyon away from vertical. I could imagine how certain spires and cliff tops became isolated from the mainland as freestanding

islands in the canyon sky, and with a little more effort, I could imagine future features as the Grand Canyon became even deeper, wider, and grander.

The human mind is poorly adapted for thinking backward or forward in time beyond a few years or decades, but I believe it is a habit worth cultivating. I will try to illustrate its worth with an example I hope relevant to the ECCA mission: the preservation of forested waterfront habitat.

Any fisherman can tell you that many species of fish prefer to congregate near three-dimensional underwater structures: fallen trees along the shoreline, coral reefs, oyster bars, bridge pilings, sunken ships, even floating seaweed and drifting debris. They may do this for shelter from predators, to hunt for food, or to meet potential mates. When I was a boy, I often used to hike down to the Appomattox River, my rod, reel, and tackle box in hand. I often selected my fishing holes based upon the presence, in overhanging limbs and fallen trees, of colorful, shiny, dangling fishing

lures. My reasoning was that if veteran anglers who, unlike me, could approach by bass boat, were willing to risk expensive tackle by casting into the vicinity of those wooden branches, that must be where the lunkers were. Complex 3-D habitat is where the action is.

In Chesapeake Bay and its rivers, there are (or once were) four main kinds of complex 3-D habitat: oyster reefs, seagrass meadows, marsh grasses, and fallen trees. For a fish or crab looking for a safe place to park, a towering oyster reef and a flat seafloor are two radically different options: one a parking lot, the other a multilevel parking deck. For a fish or crab hoping for a place to hunker down and hide, a marsh or seagrass meadow is a lush forest amid a barren desert. For fish and crabs seeking shade and shelter, a fallen tree is a public pavilion during a picnic at the park ruined by a hailstorm.

All of these are strictly shallow-water habitats. Marsh grasses cannot stand complete submergence, and although seagrasses can, they still need sunlight and

so will grow only to a depth of several feet. Because they are not plants, oysters can go deeper, but they too prefer shoals over channels. Consequently, these habitats depend wholly upon the sea-level cycle depicted above, in two ways. First, they don't even appear in substantial numbers or acreage except in the wake of an ice age. It is not until a rising sea level floods the banks of old creek and river valleys, creating broad shoals, that conditions are ripe for widespread colonization by shallow-water species. Second, as sea level continues to rise—as it still does today—these habitats must migrate in tandem. Oyster reefs can build themselves vertically as new generations of oysters cement themselves atop older ones. Marsh grasses and seagrass meadows, however, must move laterally—that is, shoreward. (Actually, wetlands have a neat trick for accreting vertically as well: the grasses capture suspended sediment in the water column while at the same time shedding dead leaves into soil at their feet. This creates an ever-thickening mixture of mud and organic matter called peat, a platform that keeps pace with rising sea level.)

Human activity can interrupt these slow migrations. Two hundred years ago, oyster reefs were so tall

that they breached the water's surface at low tide. The fishermen who mowed them down in the nineteenth and twentieth centuries interrupted a self-perpetuating reef-building cycle that will not be able to restore itself anytime soon. Likewise, seawalls and other forms of shoreline armoring can sometimes interrupt the upland conversion of retreating shorelines into new marsh.

There is one other shifting habitat, though, that rarely gets talked about: fallen trees. This habitat "migrates" in a rather different way. As sea level rises, and waves and water erode the ever-retreating shorelines, trees tumble into the water, creating intricate tangles of twigs and branches where aquatic animals can take refuge. Eventually these dead trees decay and disappear, but as long as there are forests along the waterline, and as long as sea level continues to rise (which it will), there will be a supply of new fallen trees. When I don my Grand Canyon glasses and gaze at a wooded shoreline that is free of seawalls and riprap, I see not only a rich, complex 3-D habitat here and now, but a rich, complex 3-D habitat yet to come. Just as sharks have row upon row of teeth behind their smiles, such that lost front teeth are rapidly replaced

by back teeth moving forward, so will trees deeper in the forest come forward and fall into the water to replace those lost to submersion and decomposition.

Unfortunately, looking at ecosystems as snapshots in geologic time instead of static structures does not come naturally to us. What does come naturally to us is the desire for a handsome view, especially if one owns waterfront property. One can hardly blame waterfront property owners for hauling away both the dead trees along their frontage and the view-blocking living trees behind them. The trouble is that, unwittingly, they are not only removing existing habitat but future habitat as well. That is habitat that our grandchildren and their grandchildren might like to cast their own fishing lures into someday. And of course, as with oyster bars, marshes, and seagrass meadows, the aquatic animals that take shelter along forested shorelines are links in a much larger food web. By helping to preserve the rural and natural character of Essex County, the ECCA is also helping to preserve nearby aquatic ecosystems for generations to come.

Kevin Goff taught high-school science locally for sixteen years. He holds a Masters in Fisheries Biology from the Virginia Institute of Marine Science and is currently working on a PhD in Science Education at the College of William & Mary. Kevin wrote this article based on notes jotted from various sources throughout his teaching year, and wishes to acknowledge two books of particular value: Keith Frye's "Roadside Geology of Virginia" and John McPhee's "Annals of the Former World." He apologizes for any plagiarisms that may have crept in through his note-taking. Kevin lives in Essex County with his wife and lifelong Tappahannockian, Page Dawson.



Forgotten Beaufort

by Suzanne Derieux



Once upon a time there were two towns in Essex County. Before the Revolution Tappahannock and Beaufort were both thriving river ports, filled with families, merchants, stores, warehouses, taverns and ordinaries, travelers and sailors, and ships arriving every day. No one in 1771 could have imagined only one town would survive.

In 1663 Thomas Hawkins received a patent for 627¹ acres on the south side of the river near John Catlett and Ralph Rowzee. In 1698 his son John sold this patent to Dorothy North, the widow of Augustine North of Ware Parish in Gloucester County. Dorothy died in 1710, leaving 300 acres to her grand-daughter Susanna Ley,² wife of John Boughan.³ The other 300+ acres were to be divided between her grandsons Thomas Ley and Augustine Ley, all children of her daughter Ann North and Thomas Ley (I). If either grandson died without heirs, his land would go to Augustine Curtis, another grandchild.

Thomas Ley (II) was licensed as early as 1712 to ply a ferry across the river to Bray's Church and to keep an ordinary⁴ at his landing. He died in 1715 without heirs, and his land went to Charles Curtis, brother and heir of Augustine Curtis.

Augustine Ley married Frances Boughan Starke, sister to John Boughan and the widow of John Starke. Augustine and Frances had one son named Thomas, born after 1712.

Augustine entered into bond to keep the ferry and the ordinary at his house in 1716, and was charged to "keep open the ancient road through his plantation to the river" because the landing he had was a public landing. The landing at Brooke's Bank, just above the great marsh, was private. Augustine died in 1720 and left his land to Frances for her life, and then to his son Thomas after her death. Sometime between 1722 and 1773, Frances married a third time to Jacob Layton, an attorney. In July 1725 Layton bought all of Charles Curtis's "right title and interest in the land that Dorothy ... left."

In September 1725 Layton petitioned the county court to keep the ordinary at Southern's ferry, which was granted, although in November Layton "was [found] guilty of several notorious crimes" and lost both the right to retail goods at the ordinary and to practice law. Frances made complaint in June 1727 that "the Negro Cuffy, who was clandestinely carried out of the county by Jacob Layton, is the proper slave of Thomas Ley, her son." Layton does not appear in Essex records after 1728, although whether he died or was living elsewhere is unknown.⁵ Frances successfully petitioned to keep the ordinary in 1732 and 1733. She died in March 1734, leaving three children: Thomas Starke, Thomas Ley, and Mary Layton who married John Yancey. The Yanceys sold 173 acres, the land Jacob Layton had bought from Charles Curtis, to Thomas Bridgeforth in 1759.

Thomas Ley (III), the son of Augustine and Frances, came of age about 1735, and married Sarah Griffing after 1742. They had two children, Thomas and Frances. Thomas (III) died in early 1748, and Sarah married Isaac Scandrett before 1750.

In the early days of the county, every plantation owner on the river had a landing, and anyone wanting to use it to ship tobacco had to pay. By 1730 the Virginia Assembly had ordered each county to have tobacco warehouses at public landings and to store and weigh hogsheads by standard weights before shipping. In June 1731 the court asked Frances Layton, James Griffin/g (of Tappahannock) and Ebenezer Adams (of Bowler's) to appear at July court and "declare if they will build at their own charges ... tobacco warehouses on their lands." Frances must have agreed, for in December 1731, William Brooke was charged to "lay off and mark a road from John Andrew's bridge on Popoman swamp ... for the back inhabitants of St. Anne's parish to roll their tobacco to the warehouse at Layton's ferry."⁷ In 1736 John Rowzee, an inspector at Layton's, complained to the county court that one warehouse was not sufficient and asked for two more. The court did not agree but allowed Thomas Waring and James Garnett £6000 to build one house, 60' x 24' with a 10' pitch.

With the new warehouses, Layton's became a major business center for the upper county. Several merchants moved their businesses from Brooke's Bank, and others followed. A bigger wharf was built to handle the increased river traffic, made easier by the fact that the channel comes almost to the shore there.⁸ Layton's had everything it needed to become a major town in Virginia, especially since it had the ferry to and from Leeds.

In 1665 Richard Bray built a church, an ordinary, and a wharf on the north shore of the river, on a site that had once been the home of King Pissasseck of the Rappahannocks. Bray had a ferry that ran to what is now Brooke's Bank, which was an early site for merchants. In 1730 this became one of the sites for King George's tobacco warehouses. In 1742 the General Assembly gave sanction to Bray's becoming a town;

It has been represented to the General Assembly that great numbers of people have assembled at Bray's Church...where the church and public warehouses are built...that within six months 65 acres shall be surveyed and laid out into lots... to include the church and churchyard...and the name shall be Leeds.

Leeds was one of the biggest landings in King George,⁹ a hub for the northern neck, and Layton's was the only public landing between Tappahannock and Port Royal. They made each other necessary and important.

Thomas Ley (IV) did not gain control of his property until he came of age in about 1762. Seeing the potential of his landing, he petitioned the Virginia Assembly to start another town in Essex

*Whereas it hath been represented that the establishment of [a] town on the land of Thomas Ley, Gentleman, at Layton's Warehouse...will be advantageous to the inhabitants of Essex...that it shall and may be lawful for the said Thomas Ley to lay off 60 acres of his land for lots and streets... to be called by the name of Beaufort.*¹⁰

With Beaufort sanctioned, Ley began to sell lots, most of which went to merchants. The slips mentioned lay between the lots and the river (see chart on left).

Anyone who bought a lot was required within two years to build "one house of brick, stone or wood, well framed, with the dimensions of 20' square and 9' pitched at the least...every chimney in the town to be of brick or stone." Failure to do so would result in the loss of the lot.

Ley offered his property for sale as early as 1772 in the Virginia Gazette:

To be sold to the highest bidder, on Friday the 20th of November, at the town of Beaufort...my tract of land adjoining the town, containing 150 acres, with a number of lots, some of which have good improvements, suitable for both Merchant and Ordinary Keeper. There is a ferry, and ferry boat...which will be sold with the land...12 months credit will be allowed.

Whether this was a need for money or something else is unknown. In April 1776 Ley and his mother Sarah Scandrett, who still held her dower interest, sold 172.5 acres to John Richardson with the right to keep the ferry, excepting lots #1–3, 5–20, 23–30. Ley reserved lots 21 and 22 as the family burying ground, which has unfortunately been lost. He died before June 1782. Sarah died in 1788.

John Richardson may have been renting the property before he bought it because he advertised it in 1773:

To be rented for one year, or more, and may be entered on immediately, the plantation ... called Layton's, with the ferry and all the lots unsold in the town of Beaufort. The land contains about 150 acres, and on one ... lot are all the necessary houses for an Ordinary and a store.

Richardson ran or rented the ferry—using a causeway to cut through the great marsh—and the ordinary until his death in 1791. The property was divided between his children: Mourning, Ann Pitts, Elizabeth Lambert, Mildred Lambert, and Margaret.

Mourning continued to rent out the plantation and ran the ferry for several years until he moved to Fredericksburg. At his death in 1816, the land went to his children and his sisters' children.

With the end of the Ley and Richardson families in Essex, Robert Payne Waring began buying up Layton's Landing, starting with Thomas Bridgeforth's 178.5 acres in 1816. In the 1820s there were still twenty-two lots at Layton's, two owned by James Hunter, one by Washington G. Mariner, one by William Waring, one by Mourning Richardson, and seventeen by the estate of John Richardson. Waring bought all the lots and buildings, save James Hunter's warehouse, and bought all rights, title, and interest to the land and the ferry from the Richardson and Lambert heirs between 1829 and 1831. The tobacco warehouses lasted into the early 1800s, when they vanished. The stores and merchants went with them. In the 1830s the steamboats began to run the Rappahannock with regular weekly service between Fredericksburg and Baltimore. Both Layton's and Saunders' became regular stops. In 1859 there were four lots left. In 1870 there was one. All the rest of Beaufort town had become part of Layton's farm.¹²

When he died in 1844, Robert Payne Waring was considered to be the richest man in Virginia. He owned over 17500 acres, including Greenfield, Port Tobacco, Port Micou, Cavanaugh's, Garrett's, Gouldman's, Payne's Island, Lawson's Neck, Thomas' Neck, Layton's, part Kendall's, Glen Cairn and Edenetta in Essex, and Troy's, Bloomsbury, Leesville, and Round Hill in Westmoreland. All of this land was divided between his daughter, Lucy Latane Waring Baylor, wife of Richard Baylor, and his daughter-in-law Eliza Stuart Robb Waring and her four children, Robert Payne Waring, Lucy Robb Waring, Thomas Robinson Waring, and William Lawson Waring. Layton's, Glen Cairn and Gouldman's were in one tract, and went to Eliza and her children.

Layton's stayed in the Waring family until 1901, when it was sold as part of a chancery suit between the Baylors and Robbs. James Henry Allen bought the property and left it to his son, who left it to his nephew Randolph Fisher, the current owner.

Tobacco was crop, currency, and the lifeblood of early Virginia. Growing it, pressing it, rolling it, and shipping it were the main businesses of the colony. Beaufort and Tappahannock were two very important ports on the Rappahannock for the shipping of tobacco and for receiving goods back from England. They had the county's tobacco warehouses and the merchants and stores that went with them. They had ships arriving from England and Scotland, and the ordinaries, taverns, and visitors that came with the

ships. Population and land values were rising both in the towns and in the county.

The Revolutionary War destroyed Virginia's tobacco monopoly with England. The opening of bounty lands in North Carolina, South Carolina, Ohio, Western Pennsylvania, and Kentucky after the Revolution caused a flood of young families to move westward to new land. With the loss of population and her tobacco business, Virginia entered into a long decline that did not really end until World War I. Tappahannock survived these years only because it was the county seat and contained the courthouse and other county offices. Beaufort had nothing but tobacco to support it and thus vanished completely from sight and from memory.

| | | | |
|--------------------|-----------------------------------|----------------------------|-----------------|
| June 1771 | Thomas Garnett Noel | Lot # 23 | £ 22.2.6 |
| August 1771 | Edward Vass | Lots # 25, 26, 27, 28, 30 | £ 100 |
| August 1771 | William Livingston | Lot # 32 | £ 19 |
| Oct. 1771 | James Ritchie & Co. ¹¹ | Lots # 1 & 2 & slip | £ 81.10 |
| March 1776 | Robert Brooke | Lots # 5 & 6 & slip | £ 74.15 |
| March 1777 | John Rowzee | Lot # 12 | £ 38.10 |
| June 1778 | Thomas Upshaw | Lot # 29 | £ 17.10 |
| June 1778 | James Bowdry | Lot # 17 on Queen Street | £ 15 |
| May 1781 | John Edmondson | Lots # 7, 11, 13 & slip | £118 £ 81.10 |
| March 1776 | Robert Brooke | Lots # 5 & 6 & slip | £ 74.15 |
| March 1777 | John Rowzee | Lot # 12 | £ 38.10 |
| June 1778 | Thomas Upshaw | Lot # 29 | £ 17.10 |
| June 1778 | James Bowdry | Lot # 17 on Queen Street | £ 15 |
| May 1781 | John Edmondson | Lots # 7, 11, 13 | £118 |

¹All acreages are approximate.

²This name appears as Lea and Ley, but only once as Lee. They were not part of the Westmoreland Lee family.

³John Boughan left this 300 acres to his son Augustine, who married Hannah Griffing. Augustine left it to his only son, Griffing, who died without a will. The land was divided among Griffing's 12 children who were bought out by the Warings.

⁴An ordinary had beds, hot and cold food, and spirits. A tavern sold spirits.

⁵Layton owned the landing the shortest amount of time, yet his is the name that has lasted.

⁶Frances married John Seayres Jr. He died in 1778. She was living in King and Queen County in 1789 and died before 1797.

⁷This road was the old cut from Occupacia Road that ran NE to Layton's road.

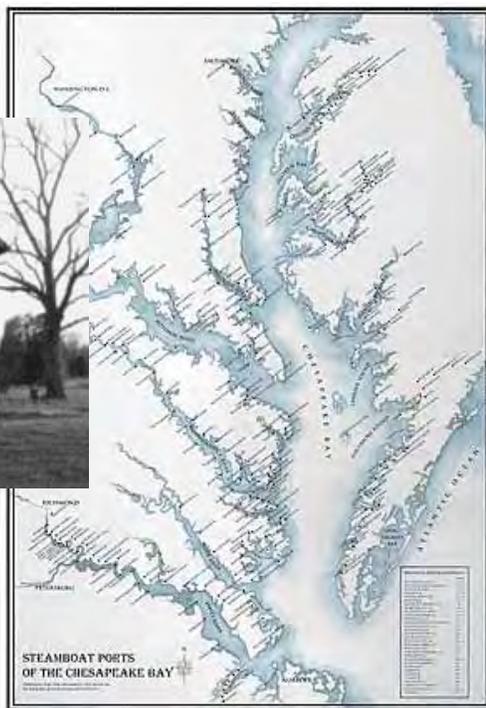
⁸A ferry comes to ground; ships need a wharf to unload easily.

⁹In 1778 King George and Westmoreland counties exchanged land, and Leeds became part of Westmoreland. The name Leeds corrupted over the years to Leedstown.

¹⁰Bew-fort, or Bo-fort? No one will ever know. Robert Brooke's plats for Leeds and Beaufort have vanished.

¹¹These lots escheated to Virginia in 1775 when James Ritchie was found to be a British subject. They were bought by Thomas Boulware.

¹²The ferry continued to run until 1927 when the first Downing Bridge opened.



Port Micou

By Marty Glenn Taylor

This early port on the Rappahannock River in upper Essex County was named for Paul Micou, who like many Huguenots (French Protestants) emigrated from France in the late 1600s following the revocation by Louis XIV of the Edict of Nantes, a decree that had assured religious freedom to non-Catholics for almost ninety years.

Micou (1657–1736) sailed to Essex, perhaps after visiting England, purchased the first of the Micou property in 1697, and, an educated man, made a name for himself on both sides of the river as a medical doctor and as a prosperous tobacco farmer with a warehouse and river port.

The Micou port was one of the best on the Rappahannock because of the river's deep channel close to shore and to the landing's earthen jetty. During the 1700s large ships sailed here from England, bringing goods to the colonists and returning with cargos of tobacco. The wharf business flourished during the Micou years when tobacco was the primary

crop. This era ended when the farm changed ownership to Robert Payne Waring. Because the Waring farm grew grain rather than tobacco and because steamboats, which did not require such deep water, began to replace schooners as a means of commerce, Port Micou failed to retain its dominance as a port. Yet it remained as a steamboat stop between Saunders Wharf and Port Royal.

Robert Payne Waring, a progressive farmer and one of the wealthiest men in Virginia, was the second man to hold the land for a significant length of time, the Micou family having retained possession until 1826. Soon afterward, Waring added it to his considerable holdings and is credited with bringing the land into the era of today's farming by following the theories of Edmund Ruffin, the pioneer in soil conservation techniques who emphasized crop rotation as a means of restoring soil fertility that had been lost because of an emphasis on growing only tobacco. Waring also was one of the first to use marl and limestone

as fertilizer. At Waring's death, his son-in-law Richard Baylor inherited Port Micou. He too was a progressive farmer.

Although Micou's dwelling has been lost to time (some reports indicate the house burned), remnants of earlier structures can be found in fields near the river. The farm is identified on the 1755 Jefferson-Fry map of Virginia. Interestingly, Paul's daughter Mary Micou married Joshua Fry, who collaborated with Peter Jefferson to produce this important document.

The antebellum granary and overseer's dwelling at Port Micou are intact examples of their building types, according to information found in the National Register of Historic Places. The large two-story building that had been Micou's warehouse was converted in the nineteenth century to a granary. It stands today on the extant foundation of the earlier tobacco warehouse. Siding on the lower level that was used for ventilation in drying tobacco may still be seen. The overseer's house, built in 1826 during the Waring era, has been restored and is used as the home of present owners Heinz and Isabelle Welger-Merkel of Germany.

Welger-Merkel, following his studies in specialized farm machinery engineering, came to this country to work in the Midwest with AVCO, New Idea, a large farm equipment company. The family had an interest in history and while traveling in this area in 1981, they visited Port Micou for the first time. They purchased a thousand acres of the farm's open land in 1984 and since then have made frequent visits with their children and now their grandchildren, all of whom feel at home in Essex County. With a

tenant farmer who is recognized for his progressive farming techniques, they raise corn, soybeans, and small grain. The farm is held in the name of a family owned corporation including the Welger-Merkels' son and daughter.

The Welger-Merkels' interest

in Port Micou also extends to the family of its first owner, Paul of Nantes, France. In 2011 they invited several Micou descendants to visit them in Essex County. When Paul Micou, the ninth-generation son of the Old Frenchman entered and extended his hand in greeting, a

reverent hush fell over the gathering, marking a special moment when time seemed to pause and the past was recreated on the very spot where it began.

Sources: National Register of Historic Places; interview with Welger-Merkel (May 2012); interview with Mary Micou Martin (May 2012).

Working Together to Make a Difference

By Andy Hofmann, *Refuge Manager, Rappahannock River Valley National Wildlife Refuge*

Rappahannock River Valley National Wildlife Refuge was established in 1996 as part of the National Wildlife Refuge System to conserve and protect fish and wildlife resources, including endangered and threatened species and wetlands, from the risk of development and destruction. The refuge has an acquisition boundary of 268,000 acres and stretches sixty river miles from Port Royal in Caroline County to Lancaster County. Within its acquisition boundary, the refuge is approved to acquire up to 20,000 acres of high-priority lands through fee title purchase or conservation easements. Over the past sixteen years, the refuge has grown to more than 8700 acres of valuable habitats protecting over 230 species of migratory birds. Protected species include neotropical migrants, waterfowl, wading birds, and America's national symbol: the bald eagle.

The refuge's conservation easement program differs from open space easements and seeks lands that contain natural resources whose importance merits their inclusion in the Refuge System. The goal of the refuge's easement program is to protect existing natural resources

and to work with landowners to enhance those resources, such as creating water quality buffers along agricultural field edge, while promoting the continuation of traditional uses of the land. That being said, when the refuge was first envisioned, it was realized that no one entity alone could achieve the desired level of land conservation. The refuge was conserved under the premise that a diverse array of partners, including landowners, no-profit conservation organizations, and government agencies would all contribute to the same goal.

Fortunately, residents in the Northern Neck and Middle Peninsula have a strong interest in maintaining the rural character of the landscape surrounding the Rappahannock River. Conservation partners such as The Nature Conservancy, The Conservation Fund, The Trust for Public Land, The Virginia Outdoors Foundation, and Fort A.P. Hill have aided the refuge by protecting valuable habitats across the landscape adjoining the Rappahannock River. These habitats provide buffers along the riparian corridor, preserve special places for wildlife, limit the spread

of invasive species, and improve water quality throughout the Rappahannock watershed and the Chesapeake Bay.

Additionally, partners such as the Essex County Countryside Alliance, the Middle Peninsula Land Trust and the Northern Neck Land Conservancy have contributed significantly to local land protection efforts by educating private landowners on the benefits of voluntarily protecting land in perpetuity, by cultivating lasting relationships with private landowners, and by equipping private landowners with the knowledge and tools to make good decisions regarding their land. These accomplishments complement existing efforts and further the protection of natural and cultural resources along the river.

The rich resources that lie within the Rappahannock River Valley watershed continue to tell the story of life along the river long ago: why it was so important to Native American survival pre-settlement and why it was so special to the English settlers that arrived during Captain John Smith's voyages in the seventeenth century. Thanks to the efforts of partners and private landowners, we are still able to experience the lands and waters of the Rappahannock River through relatively untouched, evocative view sheds and bountiful wildlife and wild places.

The Meandering Rappahannock

By Richard C. L. Moncure Jr.



The meandering reaches of the Rappahannock, from the James Madison Memorial Bridge at Port Royal to the Downing Bridge at Tappahannock, are known to local watermen as the nursery of the river.

At the toe of Fone's Cliffs where bald eagles soar, or in the oxbows of Layton's Reach where geese light into Drake's Marsh at sunset, it is hard to believe that the Rappahannock River is ill. In fact, in terms of dissolved oxygen, the Rappahannock suffers from a larger volume of dead zone than all of the other rivers flowing into the Chesapeake Bay combined.

A dead zone this large is the result of a combination of forces. Storm-water run-off from the urban and suburban landscapes of localities such as Fredericksburg and Spotsylvania Counties carries large amounts of sediment and nutrient pollution into the river. The sediment can block sunlight or completely cover underwater grasses along with other habitat critical for river life. The nutrients can feed massive algae blooms that die, decompose, and strip the oxygen from the water. It's not all an upstream problem, though. Homeowners in towns such as Tappahannock and Kilmarnock are applying excess amounts of fertilizer for lawn greening, adding more pressure to the situation. A part of the mission of the Friends of the Rappahannock

(FOR) is to reduce these impacts, actively engaging citizens to join our Healthy River Starts at Home program, which shares techniques and ideas to reduce the pressure that homeowners impose on the Rappahannock.

The lands along the nursery of the river are particularly productive farm lands. For centuries farmers in the Northern Neck and Middle Peninsula have been tailoring their farming methods to the ebb and flow of the Rappahannock River. It's no surprise that some of the area's best fishermen are also farmers. The folks working these lands enjoy a special connection to the river. However, it is important that we separate the two—literally.

Allowing for filter strips of land between the farmland and the water where the vegetation serves as a natural buffer to sediment and nutrient pollution is a simple step farmers and property owners can take to make a positive impact on the river's health. Native plants utilize the excess nutrients flushed towards the river from farm fields and their complex

root systems hold soils together at the shoreline, which is otherwise vulnerable to erosion. Wyn Davis, Essex County Environmental Codes Officer, commends area farmers use of the filter strip. “The biggest producers in the watershed are using vegetative buffers because they know how important the land is that they are protecting. This level of cooperation between law makers, private landowners, and agricultural producers in recent decades has yielded very positive results that are a major benefit to our environment.”

The Chesapeake Bay Act asks for a hundred feet of riparian buffer from the water’s edge before changing the use of the land. As many of us know, much of the farmland in our watershed hasn’t had its ‘us’ changed in decades and many exemptions have been made, but it is becoming imperative that we allow the land to perform its natural functions at our water’s edge. There are a few factors to consider when sizing out the width of vegetative buffers, but performance is generally a function of soil type and slope. From our river’s perspective, we will get out what we put in and the hundred feet of riparian buffer is a gold standard that pays off. By creating a natural shoreline habitat for plants, birds, amphibians, fish, and other critters, filter strips diversify the food web for the ‘nursery of the river’, and that improves the fishin, to!

Increasing the areas of land devoted to filter strips or vegetated buffers will help us turn the tide so we can begin to restore the health and production of the Rappahannock River to match its beauty. Whether we are living or working along the Rappahannock, we play a magnified role in the health of the entire Chesapeake Bay watershed. Our daily routines collectively define the impact we will have on the river’s health for our lifetime and our children’s lifetime. It is only fair that we give the coming generations the same opportunity to enjoy the Rappahannock’s wealth of resource. I hesitate to imagine a time when our farmers, after a long day plowing the field, can’t hop off the tractor, throw in a line, and catch dinner.



Richard C. L. Moncure, Jr. has spent a lifetime fishing and farming along the Rappahannock. Now working as the Tidal Rappahannock River Steward for the Friends of the Rappahannock, he lives with his wife, Jessica, and his son, Tripp, at Simonsons in Richmond County where they grow or catch most of what they eat.



Latané Obelisk

A solemn ceremony and rededication of a Monument to members of the Latané family recognizing the 150th Anniversary of Captain William



Latané’s Death during Gen. Stuart’s ride around Union Troops was held at St. Paul’s Episcopal Church Millers Tavern, Virginia on Sunday, June 17, 2012

Captain William Latané died on June 13, 1862 during a reconnaissance around General McClellan’s army that was advancing on Richmond from the east. He is immortalized in a painting by William D. Washington, The Burial of Latané that became part of the Lost Cause sentiment after the war. What is lesser known is that his twin brothers,

John and Lewis, also died in the war. A monument, in the shape of an obelisk, to all three and their father and mother, Henry and Susanna, was erected at their mother’s childhood home, Spring Hill Farm, 3 miles north of St. Paul’s Episcopal Church. It has stood alone in a farm field for most of its history and was just moved to St. Paul’s where the family worshiped. The rededication ceremony marked the occasion on June 17th, close to the date on which Capt. Latané died.

The Bald Eagle in Virginia

by William S. Portlock



The bald eagle has made a dramatic recovery in Virginia since the 1970s when only thirty pairs of eagles could be found in the state. Reproduction was severely affected by the widely used biocide DDT, which altered a bird's calcium metabolism in a way that resulted in thinned eggshells that crushed under an incubating mother's weight.

The bald eagle is the only eagle unique to North America. Its scientific name *Haliaeetus leucocephalus* means "white-headed sea eagle." The bald eagle is found throughout the United States from Alaska and Canada to northern Mexico.

Adult bald eagles are unmistakable with white head and tail feathers and usually a dark, uniformly brown, plumaged body. It takes four to five years for bald eagles to attain this mature plumage. Immature birds have dark body plumage speckled with varying amounts of white, depending on age. There are four distinct stages relating to each year of life. Juvenile or first-year birds are mostly dark brown overall. Second-year birds often have some amounts of white on their bellies, flight feathers, and backs. Their eyes turn gray-brown or whitish. Third-year birds continue with whitish-brown backs and bellies, but the cheeks become whiter with a dark eye stripe reminiscent of an osprey. The eye color turns yellow. Fourth-year birds usually have a brown body but can have some white feathers mixed in. They begin showing whitish heads, or sometimes a mottled whitish-brown head along with whitish tails. Their bills are yellow. Fifth-year birds (and sometimes fourth-year

birds if plumage conforms) are considered adult birds. Their ninety-inch wingspan makes our national bird a most impressive species.

The 2011 bald-eagle survey along the Essex County shoreline, conducted by researchers with the Center for Conservation Biology, determined forty-four occupied territories* with thirty-nine active nests. Essex had the fourth highest nesting population of eagles in Virginia, after Westmoreland (sixty), King George (forty-eight), and Richmond (forty-two) counties.

Last year 730 bald eagle pairs nested in Virginia, with 980 chicks fledging, the highest number ever recorded. The eagle population has grown about 10 percent annually since the late 1980s. Remarkably, 11,030 chicks have been produced and documented in the thirty-five years since the initial bald-eagle survey conducted by Dr. Mitchell Byrd. He continues his work today with Bryan Watts at the Center for Conservation Biology at the College of William & Mary and Virginia Commonwealth University.

Chesapeake Bay is an area of convergence for many postnesting and subadult bald eagles from breeding populations in the north-eastern and southeastern United

States. In the late fall, eagles migrate south from New England and Canada to spend the winter months on the tributaries of the bay. In late spring and early summer eagles migrate north from Florida and other southeastern states to spend the summer months in the bay. The convergence of three geographically distinct populations (northeast, southeast, and Chesapeake Bay) suggests that the bay plays a particularly important role in the recovery of bald eagles in eastern North America (Bryan Watts, Center for Conservation Biology, 2011).

There are several eagle concentration areas located around the bay that serve as important habitat for these birds. Postbreeding adult and subadult eagles congregate in large nocturnal roosts in just seven known areas of the bay. These are located on the Rappahannock (between Tappahannock and Port Royal), and along sections of the Potomac, James, Pocomoke, Nanticoke, and Blackwater Rivers, and Aberdeen Proving Grounds. Hundreds of eagles have been found in these distinctly low-salinity (mostly river) areas of the bay. In the Rappahannock's concentration area, the highest count to date was 395 eagles (Portlock and Spencer on February 7, 2005).



Photographs on pages 48 and 49 © Bill Portlock

Eagles are opportunistic predators often seen perched in tall trees or elevated places where they can survey the landscape as they look for food. Prey consists mostly of fish, injured waterfowl, and carrion, but nest surveys have also found remains of small mammals, turtles, and other birds. One study found seventeen fish species in eagle nests, with catfish, carp, eel, and striped bass being the most numerous; eleven species of mammals, with the majority being muskrat and eastern cottontail but also woodchuck and Norway rat remains; five species of turtle, including diamondback terrapin, stinkpot, eastern mud, eastern box and snapping; and forty-five species of birds, with fifteen duck species (mallard was by far the most common), but also found were domestic chicken, American crow, common grackle, and Canada goose remains (Cline, 1991).

In the last thirty years we have seen an impressive increase in bald-eagle breeding territories, an increase in reproductive rates, and an expansion of their geographic

range into Piedmont and mountain regions as well as historic coastal territories that had been abandoned for decades.

Human activity is the best predictor of eagle distribution within the tidal portion of the bay and its tidal rivers. Indicators of human activity such as housing and road density, shoreline use, and boating activity have been related to nest distribution (Watts et al., 1994). Since bald eagles began their most dramatic decline in the 1950s, the human population within the tidal reach of the bay has increased by more than 50 percent (www.census.gov).

Increases in the human population around Chesapeake Bay are expected to continue for the foreseeable future (Gray et al., 1988) likely causing further reductions in the capacity of the bay to support bald eagles. In the long-term, the size and stability of the breeding population will depend on both the bald eagle's capacity to cope with human activity and resource managers' abilities to protect suitable breeding habitat.

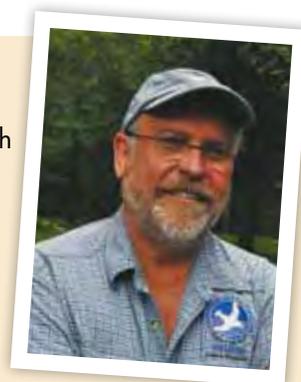
Private landowners with suitable eagle habitat hold an important key to the continued success of the bald eagle in Virginia.

Bald Eagles were removed from the endangered species list in August 2007 when their populations were considered sufficiently recovered. Our national bird is still protected under the Migratory Bird Treaty, the Bald and Golden Eagle Act, and the Lacey Act.

The Center for Conservation Biology at the College of William and Mary and Virginia Commonwealth University is the research institution that monitors and reports on the bald eagle population in Virginia. Their excellent website (www.ccb-wm.edu) makes information easily accessible to the general public. Bryan Watts is the director, and founder Mitchell Byrd is director emeritus.

* A breeding territory is considered to be "occupied" if a pair of birds is observed in association with the nest and there is evidence of recent nest maintenance (e.g., well-formed cup, fresh lining, structural maintenance). Nests are considered to be "active" if a bird is observed in an incubating posture or if eggs or young are detected in the nest (Postupalsky, 1974)

William S. Portlock is Senior Educator for the Bay with the Chesapeake Bay Foundation. Trained in natural history and ecology, he learned to photograph nature in order to document the Chesapeake Bay and the wildlife that live within its watershed. Bill has been teaching and conducting field investigations since his start with CBF in 1981. He monitors Virginia's rivers and the bay as a water-quality and living resources specialist and conducts bald-eagle boat surveys for the Center for Conservation Biology at Virginia Commonwealth University where he is a research associate and adjunct faculty member.





ECCA Supports 4H Summer Camp

Dear Essex County Countryside Alliance,

I am writing to express my gratitude to your organization for the continued support of our Essex County 4-H Summer Camp. It makes a tremendous difference to the campers that attend. We had an amazing experience this year with some new programs being added to the classes the children could sign up for.

In addition to the old Camp Classics like Canoeing, Archery, Riflery, we added Sailing and Wood Working as two new classes. They were both enjoyed by many. Mr. Balderson taught fishing which filled up quickly as it has been known to do and I taught Bath and body where the kids made soap, chapstick, bath salts and milk bath.

The water classes continue to be extremely popular with swimming, water polo, marine science, kayaking, canoeing, and sailing being offered. We had theater arts, leather-craft, fun with foods, outdoor living skills, challenge course, model rocketry, Lego robotics, photography and many more choices for the campers to choose from in our class selections.

Evening activities included a carnival, pool party, dance, magician, ice cream social, relay games, talent show and of course everybody's favorite the evening Campfire with singing and skits. You can see that it is an activity filled week with many opportunities to try something new and yet keep the old Camp traditions alive that everyone loves.

We had many returning families this year some were sending 3 or 4 children and had saved all year to be able to do so. We had kids who had never spent the night away from home before and I see this as a personal challenge to make sure they have a great time and don't get too homesick.

We had homeless kids, some who were in grief over losing immediate family members, some whose families were breaking up and at Camp these problems from home become less defining...lighter burdens to bear. For just one week these kids are the same as every kid at camp...Special because they are at the James City County-Essex County Week of 4-H Camp. They become members of a new and different community. They learn new skills and make new friends.

The funding you donate helps in many ways. Scholarships being the most important. The price for the week of camp this year was \$225.00. This price included transportation to and from the 4-H Center in Jamestown, a camp t-shirt, a camp photo and all class supplies. There is a Camp store and kids can bring spending money of \$25.00. Not every family has that so your funding helps there as well.

On behalf of the 56 2012 Campers, Teen Leaders, Counselors in training, and Adult Volunteers from Essex County I Thank You for your continued support of the Essex County 4-H Camping Program.

Most Sincerely,

Stephanie Stiles

Essex County 4-H Program Assistant

Growing Up in Rural Virginia Impacts Life Choices

by Susan Butler Walters

Matthew Magruder is an Essex County native who developed an early love for the Rappahannock and its surrounding habitats. I talked with Matthew about growing up in Essex, his influences, and accomplishments.



SBW: Tell me the universities you've attended and degrees you've accomplished.

MM: I got my undergraduate degree in environmental science at the University of Mary Washington and I am currently at Michigan State University finishing up my masters degree in forestry. Once I complete my thesis and defense, I will be moving to Williamstown, West Virginia, to serve as the Visitor Services Manager for the US Fish and Wildlife Service at the Ohio River Islands National Wildlife Refuge.

SBW: You grew up on the Rappahannock. What is an early memory of rural Essex County and/or the river?

MM: One of my best memories of the area is going to the river with friends and family when I was nine or ten years old. A nearby marsh fed a small creek that ran through the beach. We would try and dam up the creek with sand. Because the creek usually had a decent flow, the dam would take about fifteen minutes to put together. If we got the first dam in place, we would build more below it. We built side channels to let some water pass to keep the creek from overflowing, but in the end we always stopped up the side

channels and let the creek wash away our dams.

SBW: What do you think makes the middle peninsula of Virginia a unique area?

MM: For me, one of the more unique features of the middle peninsula is its streams and creeks. Growing up, I loved to canoe and kayak along the river, and I explored the creeks and marshes whenever I had a chance. I haven't had the opportunity to do that anywhere else.

SBW: You were very involved in the scouting program in Essex. How has that influenced you?

MM: Boy Scouts of America was a great experience for me. I really took the scout law to heart and it continues to influence my outlook. I always enjoyed the outdoor activities of the Boy Scouts. The time I spent camping, hiking, and kayaking was always fun, and those activities helped spark my interest in working in an environmental field.

SBW: Tell me about your Eagle Scout project.

MM: My Eagle Scout project was to build two nature trails for the US Fish and Wildlife Service at the Rappahannock River Valley National Wildlife Refuge in Warsaw. Most of the work was done by scout volunteers

on weekends over the course of about six months. We started the project using shovels and wheelbarrows, but as the distance to the end of the trail grew longer, we thankfully won approval to use mechanical equipment to haul the gravel.

SBW: Since leaving Essex, you have worked in very interesting areas of the United States. Tell me about some of them and how Essex compares.

MM: After I completed my Eagle Scout project, the refuge offered me a summer internship, which I was only too happy to accept. I worked there for three summers. My biggest projects involved building more nature trails at the Wilna and Hutchinson tracts. After expressing my interest in a career at the US Fish and Wildlife Service, I was transferred to the Rhode Island National Wildlife Refuge Complex. There I got to work for two summers at the Sachuest Point National Wildlife Refuge, which is located at the mouth of the Sakonnet River. After that, I moved to Michigan, where I collected data for my research on stands of red pine in the Huron and Manistee National Forests. It wouldn't be fair to compare the places where I have worked because I have thoroughly enjoyed working at all of them, but Essex is still home and I will always love coming back to visit.

from
KOMFUSTIAN ODES
of the Virginia Dynasty

A Selection of Poems by Edward Wright Haile



THE GROUNDHOG

He comes forth on a winter day
to tug at the locks of spring.
If he sees his shadow he gives a yelp
as if to say she needs no help,
and Feb goes right on drizzling,
and half of March is gustible and gray.



Summer, spring, and fall,
let alone winter,
have no utility
but life and death.
The torrent and the drought
no purpose but those.
And life and death no utility
but they beget singing,
which has seasons.



Cornbread in short sassafras shade,
for which the lordgod says I prayed;
homeward bound in loblolly shadow,
hoecakes and nothing, I swear, 's the matter.

I could live my whole life long
just clappin out two, three, fo' five songs
"When the trees are willing the vine goes
a-twillin'."

I'm the biggest tree you ever seed,
the biggest horse, the buttin'est colt,
the shiest man.



Others farming,
I'm harming.
Crops who know
it's me don't grow.
All bugs are made
industrial grade.
If I'm still there in summer
it's because
I've still got something dumber
left to cuss.



DO YOU NOT KNOW THEM?

Down to the red,
down to the pink,
down to the white—
the sweet and dainty,
the sane and practical,
the stubborn and frugal,
eaters of watermelon.

THE VIRGINIA GENTLEMAN

He can be a fool,
he can be a freak,
when he goes to school,
when he tries to speak.
He might subject a fact
or two to simple tact,
or be a trifle late
arriving on the date,
but he puts no degree
on common courtesy,
would serve with Washington or
General Lee with honor.
When Adam delved and Eve span,
Virginian was the gentleman.



RUNNING DEER

The first shot makes him stumble.
The second makes him crumble.
The third shot makes him tumble.
By now two miles away the rumble.



Plant corn when the ditches fill,
a week before the whippoorwill,
when pale the poplar leaves appear
no bigger than a squirrel's ear.

Washington, Jefferson, Madison, Monroe,
Harrison, Tyler, belike many mo'—
from the mother of worthwhile presidents.



When sun has raced well to the height
and dogwood is an Easter white,
plant corn three miles and a mite
to th' acre.

Tassels in June five foot high,
in the milk on the Fo'th July,
by mid-August made and dry
in the ear.

In autumn disc and sow small grain.
Hope the snow outnumberers rain.
Comes out when sun goes in the Twain
of springtime.

In stubble right behind the glean
is sown the no-till soybean,
leaving not a foot between
the drills.

Two years and three crops in the hand
is all you may beseech the land
before it's wo out down to sand.
That's farming.

IRENE

Daylight and yellowing, hot breeze elbowing
norther and norther, dank, hiss and high hymn.
Léaf home lúrched and lumbered,
twíg fall tángled out of tune.
Winds searched wind-beaten burst-birch bramble,
fanning the full fields, flailing them flat
in frog-song and fiddle-dee.
Lodged in hodge-podge is corn at the crumble.
Yea, stinging rain of ping-dinging hurricane
out of the Gulf Stream screams in the porch screen.
Grateful was I for roof and rafter,
rattling but ready for wrench and wrest.
Sweat down the chimney, wet wallboard in the
dawn limp, and day coming clear, cleansed, and smelly
of new-fallen forest shorn, steaming with morn,
and glaze on my brow still telling enow.

ECCA Board Reports Financial

Once again, your Directors would like to thank each of our members for your continued support and generous donations over the past year, especially given the uncertain economic backdrop that has been adversely affecting our country over the last four years. Your unwavering support and dedication enables the ECCA to execute on its mission to educate and inform Essex County landowners on the various options available to them through conservation easements.

The last year has seen growth in our membership, improvement in the ECCA's efficiency and effectiveness, allowing the Directors to focus on improving the ECCA's educational outreach programs. We have actively pursued foundation grants, worked on various projects to improve our environment and community, while continuing to research the impact of future development on our county and natural resources. These efforts have materialized in two grants from The Hillsdale Fund and the Robert and Polly Dunn Foundation. Additionally, the ECCA has partnered with the Essex County Board of Supervisors to pursue three distinct Rural Historic

Districts within Essex County.

During 2012, 51 individuals have thus far contributed a total of \$12,172.14. In addition, the ECCA has received \$10,600 in corporate donations. As you are aware, corporate donations are the primary offset to our annual magazine and annual meeting costs, while the donations of individual members and targeted foundation grants provide funds for our educational programs and literature. Without your generous support we would not be able to pursue our mission. We remain confident in our organization and mission and look forward to seeing each of you at our annual meeting in September.

At the request of Forrest Dickinson, Jr., the following is added to the article on Wheatland that appeared in the 2011 issue of the magazine:

Forrest (Tosh) Dickinson never received land as a gift or inheritance from his parents or from any member of his family. Wheatland was inherited by Imogene Dickinson (Forrest's sister), who subsequently deeded it to her nephew Fielding Dickinson, Jr. in 1966.

May 2012 ECCA Board Gathering at Flip and Ginny B. Sasser's Duck Shack

Muscoe Garnett, Hylah Boyd, Lindsay Dickinson, MaryMoss Walker, Flip Sasser, Nancy Long, Betty Jo Butler, Peter Bance, Ed Haile, Bess Haile, George Dickinson, Charlotte Frischkorn, Frances Ellis, Kimberly Abe, Walker Box, Bob Baylor, Alice Wellford, Hill Wellford, Ginny B. Sasser, David Taliaferro by Susan Bance





Land Use Taxation

By Ed Haile

Say hurrah for the 1773 Boston Tea Party, and I live in the land of the 1766 Leedstown Resolution, so maybe you can guess my opinion on the subject of taxes, but here goes.

I think land use taxation was long overdue in Essex County when it was finally adopted in 2007. It corrected what seems to me a long-standing and unfair discrepancy in tax assessment based on so-called fair market value.

Let's get something straight. All other tax categories—business, industrial, and residential—are and always have been treated as end use in terms of fair market value and assessments are made accordingly. The properties in these categories are never assessed for potential higher market values, that is, more intensive use. Farm land, on the other hand, had always been treated like the urban vacant lot: not for what it is but for what it could be. Accordingly, its fair market value was fair on any market but the one specifically for farm or forest land. It all depended on the wording of the zoning ordinance.

For example, industrial properties are not assessed for their potential to subdivide and sell off to other industrial sites. Nor are single family homes assessed for their potential as multiple-family dwellings or apartment complexes. Nobody taxes businesses for their potential as more intensive or big-box establishments, and yet, logically, they could be, and in fact it happens every day around the state. Their fair market value is always based on present use until a zoning variance allows a higher use. Without a zoning variance, a home is a home, a store is a store, a shop is always a shop. The existence of a high-rise condo on the

Tappahannock waterfront does nothing to raise the assessment of waterfront residential real estate, even when such real estate is located right next door to the condo. Why? Because single-family residential use is, like it or not, always considered by the assessor to be an end use and is assessed at the fair market value of that end use.

The exception is, or rather was, agricultural use. Rural land could be developed to a higher use without a zoning variance. Whether farm and forest or marsh and meadow, rural land, alone among land use categories, was not appraised based on what it was or what it earned or what it might sell at for rural purposes. On the contrary, it was considered undeveloped.

Why was that? Because zoning is an urban construct and serves an urbanizing purpose. Carried over into rural landscape, zoning encourages orderly development of rural land but development nonetheless—to higher use. Very few wish to see that higher use. Most of us prefer to see Essex stay basically rural. An assessment policy that now treats all land as end use, especially rural/agricultural end use, is something we should welcome. Nobody will be forced to develop rural land in order to pay non-rural taxes.

Land use taxation in its present form is a good start at adapting zoning assessment more fairly to rural land. Let's assess residential land at rates reflecting the residential market, business property at fair market rates for commercial land, industrial property based on the comparables for plant and warehouse sites, and farm land at a rate approaching what a farmer might pay for the land he farms. I don't know about industry but I bet you see more farms.

Essex County Quail: How to Bring Back Bobwhites

By David A. Bryan

As you take a summer drive down Route 17 from the Caroline County border toward Tappahannock and onward to Middlesex County, you have a chance of seeing or hearing an abundance of Essex County birdlife.

Majestic bald eagles may soar overhead. You may see osprey carrying fish to their nests and wild turkey chicks chasing their mother around a soybean field, while barn swallows zip after insects above the corn. All seems well in the bird world.

However, if you slow down, stop on a country side road, and listen for a while, you may hear a different story. It is likely that you'll soon pick up on the calls of songbirds such as the northern cardinal, Carolina wren, and indigo bunting, but perhaps more striking is what you may not hear. You may wonder why you don't hear the bobwhite, also known as the Virginia quail.

If you've ever asked yourself this question, you are not alone. Unfortunately, over the past half-century, northern bobwhite numbers plummeted. As a result many farmers no longer experience the joy of the "Bob-WHITE!" call. Many hunters have retired from the sport in tired resignation, and nature enthusiasts must spend countless hours of searching just to catch a glimpse of the bobwhite beauty. Perhaps the saddest part

of all is that many children, even those from rural communities, the historic homesteads of quail, may not even know what quail are. The fact is that we have lost 80 percent or more of our quail.

Now is the time—not tomorrow—to do something about it.

Quail used to be a part of the Southeastern farming heritage. So what has happened in Essex and other eastern counties? Why are the quail declining? Predators have been blamed, especially hawks

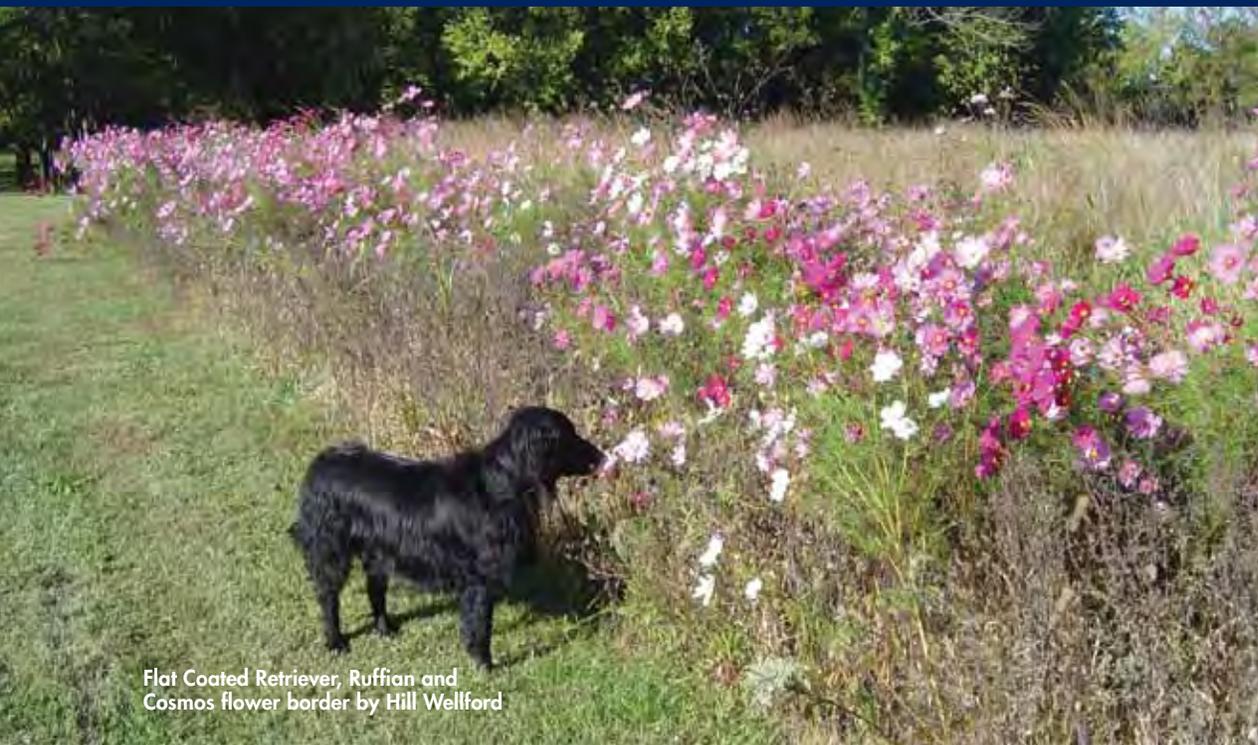


Richard Posey and his German Shorthair Pointers, Clover and Gypsy at Kendale by Hill Wellford

and foxes, but there is a natural balance between predators and prey. Many wildlife species have suffered from diseases, pesticides, and the like—think of bald eagles and the well-known impact of DDT—but again, this argument simply does not get to the root of the quail problem. Myriads of field and research wildlife biologists have been tracking the problem across the decades and believe that habitat is the key to quail recovery. Simply put, if quail don't



Golden Rod and Partridge Pea at Kendale by Hill Wellford



Flat Coated Retriever, Ruffian and
Cosmos flower border by Hill Wellford

have habitat, they won't be able to breed, hide, and survive.

In the 1960s a critical shift occurred in American agriculture: "clean farming" became a thing of the past when many field borders were once overgrown and brushy. Today's agricultural practices promote the planting of crops right up to property lines or forest edge. Idle lands that were once valued as a wildflower meadow and pollinator habitat are often now considered worthless weed patches. Fescue has also been planted for grazing almost everywhere, and unfortunately, this plant renders grasslands virtually useless for quail. The spread of suburbia and paving of paradise has also greatly reduced the amount of potential habitat in Essex County and beyond. As a cumulative result, the northern bobwhite now has perhaps the highest rate of decline of any so-called common grassland or shrubland species, and songbirds such as the eastern meadowlark, field sparrow, and grasshopper sparrow aren't too far behind.

Every June since 1980 biologists and volunteers have run the Quail Call Count Survey, managed by the Virginia Department of Game and Inland Fisheries (DGIF). They drive twenty-mile routes across Virginia's countryside and stop every mile to listen for quail. In Essex County biologists have found a moderate number of quail. Quail levels there are higher than in the Piedmont or mountains, but lower than in southeastern Virginia. State-wide, however, the general population census still shows a decline.

As we think about recovering the northern bobwhite in Essex County, we must ask ourselves if it is possible. The answer is most definitely yes. Why? First of all, we know quail live in the county. Second, the road to quail recovery is relatively inexpensive and there are cost-share programs to help us get there if—a big if—we can get landowners to cooperate. Third, we have already found truth to the saying "if you build it, they will

come if they can get there." For example, in the Newtown area of neighboring King and Queen County several landowners built a habitat and witnessed rebounding wild covey numbers. This is a classic example of quail quilting where landowners have sown together quail habitat patches and the bobwhites have taken advantage. Why can't Essex County have a similar success?

Unlike endangered mammals, which typically have a long, slow reproductive cycle that inhibits species recovery, quail have great reproductive potential, and if we rebuild the habitat that we took away from them, their numbers should increase again. Whether we are hunters, farmers, or wildlife enthusiasts, we must do what we can to give back. On our land we must think like quail. We should remember the importance of scrubby areas, of "weed patches" and the like. The borders of our crop fields are often unproductive, so why don't we convert them and

plant the native warm season clump grasses that quail need for nesting? Instead of leaving old pastures in fescue, why don't we convert these areas into quail habitat? As an alternative to getting our tractors stuck in small, wet, and unproductive fields, why don't we let them go idle?

Fortunately, financial aid is available to farmers and other landowners who desire to restore quail habitat on their lands. They don't have to shoulder the burden alone. As of July 1, 2011, the Virginia State Quail Best Management Practices (BMP) program expanded to include Essex County. The BMP program provides cost-share assistance for landowners who wish to convert field borders into quail habitat, idle their croplands, or convert fescue to native grasses. The BMP program is divided into three practices as highlighted below:

1. WL-1 Field Borders:

Designed to convert the borders of agricultural fields into habitat for quail and other species. Under this practice, landowners may simply idle their borders or choose to plant native warm-season grasses and forbs. The border must have a minimum width of thirty-five feet and can be extended to a maximum of 120 feet. The practice pays \$250/acre and the contract period is five years with the potential for rollover.

2. WL-2 Idle Lands:

Agricultural landowners may idle tracts of cropland from two acres up, allowing them to grow into a brood patch for quail, rabbits, and other species. This is a three-year practice with a \$150/acre payment and the potential for rollover once the three years are complete. A minimum of two acres is required to enroll.

3. WL-3 Fescue Conversion:

This practice assists landowners in the conversion of fescue hayfields,

which are detrimental to small game wildlife, into native grasses and forbs. Participants must eliminate



the fescue through fall and spring herbicide spraying and then establish native species. This is a five-year practice with a five-acre minimum and \$350/acre payment.

The USDA Natural Resources Conservation Service and Farm Service Agency also offer a variety of programs to landowners interested in quail restoration. These programs can be short-term or long-term with cost-share and even rental payments. Between the state and federal programs there is likely something that fits your needs. However, these cost-share monies may not be here forever and perhaps the quail won't be either. We need to act now.

So what is the first step toward recovery? Please contact Private Lands Wildlife Biologist David Bryan at 540-899-9492, ext. 101, or e-mail him at David.Bryan@va.usda.gov. He will send you an application for DGIF's free Quail Management Assistance Program

(QMAP). Upon signing up for QMAP, you will receive a packet of information including brochures,

a quail management booklet, and DVDs, all of which are full of fantastic information. You'll also receive a certificate and be placed on a listserv to receive more information on quail as it becomes available. After you receive the packet, your biologist will contact you in order to set up a site visit. After visiting with you on the land and discussing your goals, he can give site-specific suggestions, write you a habitat management plan, and help with the state or federal programs if applicable.

Ultimately, Essex County could see quail numbers rebound with a corresponding rebound in habitat. Perhaps one day huntable populations will return. When you take that drive down Route 17 and pull off on a side road, you might actually hear the call of a quail. Without doubt the potential and resources exist. Instead of talking about it, let's do something about it. The question is, will you answer the call?

David Bryan is a Private Lands Wildlife Biologist working for the Virginia Tech Conservation Management Institute as part of a partnership between the Virginia Department of Game and Inland Fisheries and the USDA Natural Resources Conservation Service.

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ECCA Board Enjoyed Good Food, Good Company and Good Weather at May Gathering



Hylah Boyd, Charlotte Frischkorn, Frances Ellis

Thanks to Flip and Ginny B. Sasser, for entertaining the board at their duck shack last May.

Below: Walker Box, Hill Wellford, David Taliaferro and Peter Bance

Bottom left: Peter Bance and MaryMoss Walker



Everyone enjoyed the country venue and delightful spring weather.

Virginia Heiskill (bottom left) treated board members to tasty fare while our canine friend snoozed.





Betty Jo Butler, Registrar
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Pecan at Wheatland
Photograph by Susan Bance